Some Historical Errors of James Ford Rhodes

John R. Lynch


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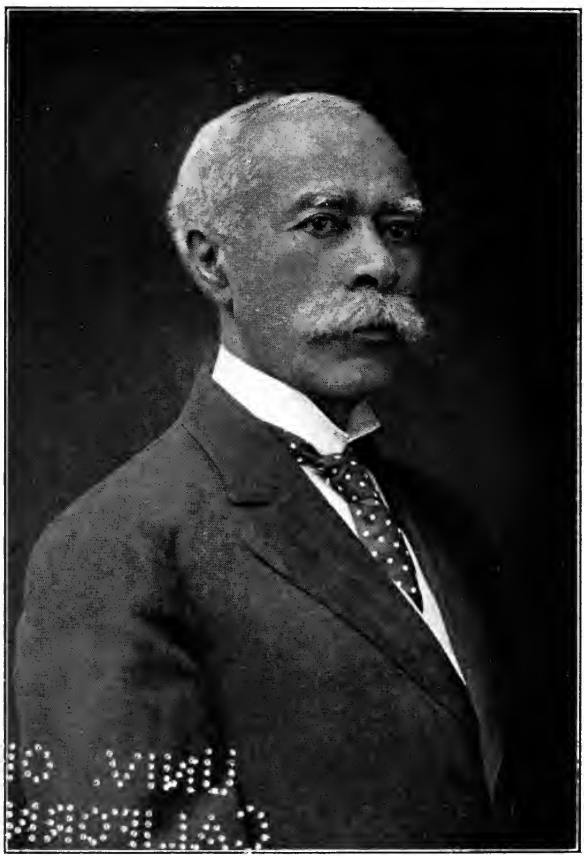

MAJOR JOHN R. LYNCH

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BY
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PREFACE

Those who will do me the honor of reading these chapters, and have read, or may hereafter read, the "Facts of Reconstruction," will not fail to see the fact brought out that, shortly after the Democratic victories in the state and Congressional elections of 1874, a propaganda was put on foot to deceive and mislead the public with reference to the political situation at the South, with a view to shaping and educating public opinion so as to bring about acquiescence in, and endorsement of, illegal and questionable election methods in that section. The public was to be taught to believe that such methods were necessary to prevent "Negro domination." The true purpose was not in the interest of "white supremacy," but in the perpetuation of the local oligarchies which had been brought into existence through the adoption and enforcement of methods which Mr. Rhodes is pleased to term "regrettable." But the real facts are to be carefully concealed and never publicly revealed.

The proponents of this propaganda seem to have found in Mr. James Ford Rhodes their most persuasive and versatile champion and advocate. No one can read the chapters in his history cover-

ing the reconstruction period without coming to the conclusion that, if what he writes is true, political contests in those states at that time were not between two political parties but between the two races — that the success of one party would result in the domination of the whites, and the success of the other in the domination of the blacks, to prevent which the public should acquiesce in, countenance and endorse election methods that would otherwise be repudiated, denounced and condemned.

The writer of these lines speaks whereof he personally knows when he declares that there never was the slightest foundation for these allegations and assertions. That the colored vote was at that time, and in a large measure still is, a menace to the success of the political party with which a majority of the whites of the South were and are still identified will not be denied, but this was as much from necessity as from choice, the opposition of that party to the civil and political rights of the colored American constituting the necessity. But those who are intelligent enough to know the facts and candid enough to admit them will not claim that this jeopardized the domination of the whites in the administration of the government, even in states and districts where the blacks were in majority. The only line the colored voters ever drew in politics was that of party. At least ninety per

cent of them voted for the candidates of the Republican party, white and colored, because they were Republicans, and against the candidates of the Democratic party, white and colored, because they were Democrats. They never at any time voted for colored men because they were colored, and against white men because they were white. They not only would not draw the race or color line in politics, but they refused to discriminate against any one group or class of white men. They would not, for instance, refuse to vote for white men who had been slaveowners or Confederate soldiers. Neither would they draw the line against those who were not natives or old citizens — in other words, " carpetbaggers " — if they were otherwise acceptable.

Between 1868 and 1874 the race or color line in politics was not strictly drawn even by the Democratic party, hence colored men were sometimes nominated for positions of importance by the Democrats. The fact was revealed from the election returns that the colored candidates received about the same number of votes as their white associates, and the white Republican candidates about the same number as their colored associates, thus showing that the race identity of the opposing candidates did not enter into the contests. In speaking of the attitude of the colored people of the State of Mississippi towards the whites, the *Jackson Clarion*, the leading

Democratic paper of that state, in a political editorial in 1874, said: "While they have been naturally tenacious of their newly-acquired privileges, their general conduct will bear them witness that they have shown consideration for the feelings of the whites."

If the race or color line had been drawn by the colored voters, as Mr. Rhodes would have his readers believe, the above quotation would not have been written. Again, if that allegation had been true, colored men would have been elected to a number of important positions to which white men were chosen. No colored man, for instance, was ever elected, or even aspired to, the governorship of any one of the reconstructed states. Hon. P. B. S. Pinchback of Louisiana, by virtue of the position occupied by him as acting lieut.-governor, was called upon to serve as governor of that state for a brief period, during the suspension by the legislature of the governor, and, judging from the manner in which the duties of the position were discharged during this time, it is apparently true that the state would have had a much better administration had he been elected and served as governor for a full term. Only three of the reconstructed states, South Carolina, Mississippi and Louisiana, elected colored men to the office of Lieut.-Governor, and Mississippi did not elect one until 1873. Prior to that time only one out of seven state officials in

Mississippi had been a colored man. Except South Carolina, on whose Supreme Court bench a colored man by the name of Wright served for a short time, no colored man ever held a judicial position above that of a justice of the peace. Mississippi was the only state to send a colored man to the United States Senate. Two, Revels and Bruce, were sent from that state, but the election of Revels was to fill out an unexpired term of about fourteen months. He was elected by a legislature in which there were about three white men to one colored.

Hon. P. B. S. Pinchback was a senator-elect from Louisiana, but since there was some question about the legal status of the legislature by which he was elected, his right to the seat was contested. He finally came within one vote of being seated.

Except South Carolina, no one of the reconstructed states ever elected more than two colored men to Congress at any one time. The largest number ever chosen at any one election was in 1872, when eleven members of that race were elected — five from South Carolina, two from Alabama and one each from Louisiana, Florida, Mississippi and North Carolina. The other Republican members from that section, about thirty in number, elected chiefly by the votes of colored men, were all whites. The allegation that the newly enfranchised blacks drew the race or color

line in politics is a grave injustice and a cruel slander. They never, at any time, manifested the slightest desire, or showed the least inclination, to dominate, but always to participate. In their attitude towards their white fellow citizens they never desired to humiliate but always to cooperate. In political matters they never desired to separate themselves from, but rather to act in harmony with, the whites who were members of the party to which they belonged. It was their aim, purpose and wish to establish and maintain friendly, cordial and amicable relations with their white fellow citizens.

When Mr. Revels was sent to the United States Senate he carried a petition which had been adopted by the legislature that elected him, cheerfully concurred in by the colored members, asking for the removal of the political disabilities which had been imposed by the 14th Amendment upon many of the leaders of the late Confederacy. In consequence of this pacificatory attitude thousands of the best and most substantial white men of the South came into the Republican party of that section, taking charge and assuming leadership of it. One of the number, Ackerman from Georgia, was honored with a seat in the cabinet of President Grant. Another, Hunt of Louisiana, was honored with a seat in the cabinet of President Garfield. And but for the agreement between Northern Republicans and Southern

Democratic congressmen to have the Democratic House accept and ratify the findings of the electoral commission, seating Mr. Hayes as President, possibly another one of the number, Ex-Senator Alcorn of Mississippi, instead of Ex-Senator Key of Tennessee, a Democrat, would have been made a member of the Hayes cabinet.

In view of the many letters of congratulation and commendation received from persons of note and prominence, I am led to believe that my efforts to correct some of the flagrant misstatements and misrepresentations about the reconstruction period have not been wholly in vain.

To my personal friend, Mr. George A. Myers of Cleveland, Ohio, I am especially indebted. He is the one that first brought Rhodes's History to my notice. He is not only personally acquainted with Mr. Rhodes, but sustains pleasant relations with him. He was the medium through whom the correspondence took place which resulted in the preparation of these chapters. He is not only a man of marked intelligence, but he is a close and diligent student of American history.

In a letter to me under date of May 22, 1918, he said: "Being unfamiliar with the real happenings of those early days, I once wrote Mr. Rhodes . . . that the early granting of amnesty to the South and the enfranchisement of the Negro without an educational qualification . . . were both national mistakes. . . . Had I been

informed as I now am, through your "Facts about Reconstruction" and this recent controversy between you and Mr. Rhodes, I would have made no such statement. I write this that you may see how one as careful as I am to make accurate statements may err by not having reliable information."

Mr. Charles W. Chesnutt of Cleveland, Ohio, one of our most widely-known authors, in a letter addressed to Mr. George A. Myers dated December 24, 1917, says: "If Mr. Lynch had never written anything else but this article, it would stamp him as a man of pronounced ability. His points are made clearly and forcefully, and as he speaks from first-hand knowledge, they have the ring of truth, notwithstanding the suggestion on the other side that the memory is apt to be treacherous. The expert makes several admissions, but some of his statements are very vague and unconvincing . . . . Mr. Rhodes has evidently been fed up with the Southern view-point and has adopted it as his own. This seems regrettable, inasmuch as a serious historical work is likely to be accepted as a true record of past events."

Since this work is in a large measure an amplification of some of the material points brought out in "The Facts of Reconstruction," a brief quotation from a letter written by a gentleman of note relative to that work will not be out of place

here. The gentleman referred to is Mr. Frank Hamlin, a prominent member of the Chicago Bar and a son of Ex-Vice-President Hannibal Hamlin. In his letter addressed to the author dated June 23, 1916, Mr. Hamlin said: "I have read your book 'The Facts of Reconstruction' with the keenest interest and appreciation. In this time of gross misrepresentation and exaggeration concerning this particular period, it is a matter of much satisfaction to obtain information at first hand, from one who has a personal knowledge of the facts of that particular time. . . . Your own views on reconstruction confirm my own opinion so strongly in regard to those policies that I have taken this liberty of writing you and thanking you for expressing them so clearly and forcibly. . . . I think you have performed a public service by placing your statements in print, making them a matter of public record concerning the days of reconstruction, and I wish to express my sincere thanks to you for having performed the same."

The above extracts are taken from only a few of the many hundreds of similar letters that the author has received from all parts of our country and some from abroad.

In my opinion, what will make this work especially attractive is the fact that both sides of the matters in controversy are presented under one cover. The work is divided into three parts.

The first is the author's review of that part of Rhodes's history which covers the reconstruction period, in which many of his errors, misstatements and misrepresentations are pointed out and refuted. The second contains the answer to the first, written by an "expert" selected by Mr. Rhodes for that purpose. The third is the author's reply to that answer.

The reader will not fail to see that the state governments at the South claimed by Mr. Rhodes to be the representatives of the restoration of home rule were the products of violence and force. They were not governments of law, but of force; not governments of right, but of might. They were not based upon the popular will, but the result of a violent suppression of that will. Having seized possession of the machinery called the state governments *vi et armis*, they proceeded to perpetuate themselves in power by the adoption and enforcement of various schemes and devices of questionable legality and constitutionality, to avoid and prevent an expression of the popular will. In other words, to disfranchise, through an evasion, if not violation, of the Federal Constitution, thousands of persons who would otherwise be qualified to vote at all popular elections. Since these governments were brought into existence through violence and force, and are maintained in power through the adoption and enforcement of inexcusable and indefensible meth-

ods, their retrogression, degeneracy and ultimate decay must necessarily follow in course of time.

To the intelligent, thoughtful and serious-minded Americans — those who put country above party and patriotism above self, who believe that all governments should be based upon the will of the governed, who hold that liberty and justice should be the chief corner-stone upon which every government rests, and who have faith in the stability and perpetuity of Republican institutions, this work is especially commended, with the hope that it will receive careful, thoughtful and deliberate consideration.

JOHN R. LYNCH.

INTRODUCTORY

In 1916, in glancing over one of the volumes of Rhodes's history of the United States, I came across the chapters giving information about what took place in the State of Mississippi during the period of Reconstruction. I detected so many statements and representations which, to my knowledge, were absolutely groundless that I decided to read carefully the entire work, which I have done; and I regret to say that, so far as the Reconstruction period is concerned, the history is not only inaccurate and unreliable, but is the most one-sided, biased, partisan and prejudiced historical work I have ever read. In his preface to volume six, the author was frank enough to make the following observation: " Nineteen years' almost exclusive devotion to the study of one period of American history has had the tendency to narrow my field of vision." Without doing violence to the truth he could have appropriately added these words: " And since the sources of my information touching the Reconstruction period were partial, partisan and prejudiced, my field of vision has not only been narrowed, but my mind has been poisoned, my judgment has been warped,

my deductions have been biased, and my opinions so influenced that my alleged facts have not only been exaggerated, but my comments, arguments, inferences and deductions based upon them can have very little, if any, value for historical purposes."

Many of his alleged facts were so magnified and others so minimized as to make them harmonize with what the author thought the facts *should* be, rather than what they actually were. In the first place, the very name of his work is a misnomer: "History of the United States from the Compromise of 1850 *to the Final Restoration of Home Rule at the South in 1877*," I have emphasized the words, "to the final restoration of home rule at the South in 1877" because those are the words that constitute the misnomer. If home rule were finally restored to the South in 1877, the natural and necessary inference is that prior to that time those states were subjected to some other kind of rule, presumably that of foreigners and strangers,— an inference which is wholly at variance with the truth. Another inference to be drawn is that those states had enjoyed home rule until the same was disrupted and set aside by the Reconstruction Acts of Congress, but that it was finally restored in 1877. If this is the inference which the writer intended the reader to draw, it is conclusive evidence that he was unpardonably and inexcusably ignorant

of the subject matter about which he wrote. As the term home rule is generally understood, there never was a time when those states did not have it, unless we except the brief period when they were under military control, and even then the military commanders utilized home material in making appointments to office. But since the officers were not elected by the people, it may be plausibly claimed that they did not for that period have home rule. But the state governments organized and brought into existence under the Reconstruction Acts of Congress were the first and only governments in that section which were genuinely Republican in form. The form of government which existed in the ante-bellum days was that of an aristocracy. The government which has existed since what Mr. Rhodes is pleased to term the restoration of home rule is simply that of a local despotic oligarchy. The former *was* not, and the present *is* not, based upon the will and choice of the masses, but the former was by far the better of the two, for whatever may be truthfully said in condemnation and in derogation of the Southern aristocracy of ante-bellum days, it cannot be denied that they represented the wealth, the intelligence, the decency and the respectability of their respective states. While the state governments that were dominated by the aristocrats were not based upon the will of the people as a whole, yet from an admin-

istrative point of view they were not necessarily bad. Such cannot be said of those who are now the representatives of what Mr. Rhodes is pleased to term home rule.

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CHAPTER I

Southern White Republicans

In volume 7, page 171, Mr. Rhodes says: "Some Southern men at first acted with the Republican party, but they gradually slipped away from it as the color line was drawn and reckless and corrupt financial legislation inaugurated." That thousands of white men at the South who identified themselves with the Republican party between 1868 and 1876 subsequently left it will not be denied, but the reasons for their action are not those given by Mr. Rhodes. In fact, there is no truth in the statement about the drawing of the color line and very little in the one about corrupt or questionable financial legislation. The true reason for the action of the white men referred to will be found in Chapter II of "The Facts of Reconstruction," but for the information of those who have not seen that book the matter will be touched upon and briefly explained here.

The white men who joined and assumed the leadership of the Republican party at the South between 1868 and 1876 were among the most intelligent and cultivated representative men of that section. As a rule they were men who were identified with what was known as "Southern aristocracy." Such men, for instance, as Ex-Governor Orr of South Carolina, Parsons of Alabama, Reynolds of Texas, and Brown of Georgia. Also such men as Mosby, Wickham, and subsequently Mahone, Massey, Paul, Fulkerson and Riddleberger of Virginia. General R. E. Lee was known to have leanings in the same direction, but since he was not politically ambitious his views were not made a matter of public discussion. In addition to Ex-Governor Brown of Georgia, they included such men as Gen. Longstreet, Joshua Hill, Bullock and many others of like caliber. Even Ben Hill was suspected by some and accused by others of leaning in the same direction. In Louisiana not less than twenty-five per cent of the best and most substantial white men of that state became identified with the Republican party under the leadership of such men as Ex-Governor Hahn and Messrs. Hunt (appointed Secretary of the Navy by President Garfield), Wells, Anderson, and many others. Although he took no active part in politics, General Beauregard was known, or at any rate believed to be, in sympathy with these

men and the cause they represented. But it was in my own state, Mississippi, where I had an intimate knowledge of and acquaintance with the solid and substantial white men who identified themselves with the Republican party, and whose leadership the newly enfranchised blacks faithfully followed. They included such men as James L. Alcorn, elected governor of the state by the Republicans in 1869 and to the United States Senate by the legislature which was elected at the same time. Alcorn was one of the aristocrats of the past. He served with Mr. Lamar in the Secession Convention of 1861 and was a general in the Confederate Army. Mr. Rhodes failed to inform his readers of the fact that the Democratic candidate for governor against Alcorn, Judge Louis Dent, belonged to that much-abused class called " carpetbaggers," but who, like thousands of others of that class, both Democrats and Republicans, was a man of honor and integrity. The same was true of Messrs. Tarbell, Powers, Perce, McKee, Jeffords, Speed, and many others, some of whom were Democrats. In addition to Alcorn, there was Col. R. W. Flournoy, who also served with Mr. Lamar as a member of the Secession Convention and who was the Republican candidate for Congress against Mr. Lamar in 1872. Also Judge Jason Niles, who served as a member of the State Legislature, Judge of the Circuit Court and member of Congress, whose

able and brilliant son, Judge Henry Clay Niles,[1] is now the United States District Judge for that state, appointed by President Harrison. He has the reputation of being one of the best and finest Judges on the Federal Bench. The state never had before, and has not had since, a finer judiciary than it had under the administrations of Alcorn, Powers and Ames, the three Republican Governors. In referring to the three justices of the state supreme court Mr. Rhodes made the statement that eligible material in the Republican party was so scarce that, in order to get three competent judges, the governor was obliged to select a Democrat, which is not true. Chief Justice E. G. Peyton and Associate Justice H. F. Simrall were both southern Republicans. Justice Tarbell, though a "carpetbagger," so-called, was also a Republican and an able judge who enjoyed the confidence and respect of the Bench and Bar. When he retired from the Bench he was made second Comptroller of the United States Treasury. In addition to these able and brilliant men, I feel justified in naming a few others, such as R. W. Millsaps, in whose honor one of the educational institutions at Jackson was named; W. M. Compton, T. W. Hunt, J. B. Deason, W. H. Vasser, Luke Lea, who was at one time United States District Attorney, and his son, A. M. Lea, who subsequently held the same

[1] Judge Niles has since died.

office; J. L. Morphis, one of the first Republicans elected to Congress; Judge Hiram Cassidy, who was the recognized leader of the Bar in the southern part of the state, and his able and brilliant son, Hiram Cassidy, Jr.; also his law partner, Hon. J. F. Sessions. Among the circuit and chancery court judges there were such jurists as Messrs. Chandler, Davis, Hancock, Walton, Smyley, Henderson, Hill, Osgood, Walker, Millsaps, McMillan and Crain — all Republicans, as in fact was every judge on the Bench without a single exception. In addition to these were thousands of others, such as J. N. Carpenter and James Surget, men of character, wealth and intelligence, who had no ambition for official recognition or political distinction, but who were actuated by what they honestly believed to be conducive to the best interests of their country, their state and their section. In fact, the southern white men that came into the Republican party were typical representatives of the best blood and the finest manhood of the South, than whom no better men ever lived. And yet to read what Mr. Rhodes has written one would naturally assume that the opposite of this was true — that the Republican party in that section was under the domination of Northern carpet-baggers and a few worthless Southern whites and a number of dishonest and incompetent colored men.

CHAPTER II

Some Mistakes Were Made

That some mistakes were made during the progress of reconstruction cannot and will not be denied. No friend and supporter of the Congressional plan of reconstruction will claim that everything was perfect and that no mistakes were made. On the contrary, it is frankly admitted that a number of grave mistakes and blunders were made, but they were not confined to any one party. No one party could justly lay claim to all that was good or truthfully charge the other with all that was bad. Of those who were selected as representatives of the parties, the Democrats had, in point of experience and intelligence, a slight advantage over the Republicans, but in point of honesty and integrity the impartial historian will record the fact that the advantage was with the Republicans. This point will be again referred to and will be more fully amplified and explained. But, as has been stated, some mistakes were made by both parties. How could it have been otherwise? The Civil War had just come to a close; sectional animosity was bitter and intense. The Republican party was looked upon as the party of the North, and therefore the bitter

enemy of the South. The Southern white men who joined the Republican party were accused of being traitors to their section and false to their own race and blood; they were called scalawags. Through a process of intimidation, chiefly by means of social ostracism, independent thought and action on the part of Southern whites, during the early period of Reconstruction, were pretty effectually prevented. Through such methods they were quite successfully held under the subjection and control of those whose leadership they had been accustomed to follow. Under such circumstances the reader may ask the question, why was it and how was it that so many of the best white men of that section joined the Republican party? The answer is that prior to the election of Gen. Grant to the presidency in 1868 very few of them did so. After the election of Grant in 1868 the feeling of intolerance somewhat subsided, resulting in a large number of accessions to the Republican party from the ranks of the best and most substantial white men of that section. But it was not until the reelection of Grant in 1872 that political proscription, social ostracism and intolerance completely and entirely disappeared. It was then that white men came into, took charge of and assumed the leadership of, the Republican party in large numbers. They then had nothing to fear and nothing to lose by being identified with it. Political

proscription and social ostracism had been completely abandoned. The South then entered upon a new era which was calculated to bring to that section wealth and prosperity, with happiness and contentment among its people of both races, all living under local governments dominated and controlled by the better element of native whites, with the cooperation, assistance and participation, to some extent, of the newly enfranchised blacks. All the mischief that had resulted from the policy of proscription, intolerance and social ostracism was prior to this period. It was during that period that thousands of white men were coerced into acting with the Democratic party, and the colored men, of course, were compelled from necessity, if not from choice, to act with the Republican party. Very little independent action and voting could be indulged in by either race. It was never a question of men; it was always a question of party. Under such circumstances thousands of white men were obliged to vote for certain Democratic candidates who were otherwise objectionable, as against certain Republicans who were otherwise acceptable. In a like manner thousands of colored men were obliged to vote for certain Republican candidates who were otherwise objectionable, as against certain Democrats otherwise acceptable. The wonder, therefore, is not that so many, but that so few, mistakes were made, — not that so many,

but that so few, objectionable persons were elected to important and responsible positions. The writer of this book has always believed it to be a misfortune to his race and to the country if conditions be such as to make it necessary for any race or group of which our citizenship is composed to act in a solid body with any one political party. The writer called attention to this in a speech which he delivered on the floor of the National House of Representatives over thirty years ago. He then made an appeal to the Democrats to change the attitude of their party towards the colored Americans. While the colored people, he said, were grateful to the Republican party for their physical emancipation, they would be equally grateful to the Democratic party for their political emancipation. While he was a Republican from choice, he personally knew of many members of his race who were Republicans not from choice, but from necessity, and that the Democratic party was responsible for the existence of that necessity. Upon economic questions there are differences of opinion among colored as well as white persons. It is an injustice to the colored race and a misfortune to the country if they cannot vote in accordance with their convictions upon such questions. No race or group can be true and independent American citizens, as all should be, when they are made to feel that the exercise and enjoyment by them of their civil

and political rights are contingent upon the result of an election. It must be said to the credit of the late Grover Cleveland that he did all in his power, both as governor of his state and as President of the United States, to bring about this necessary change and reform in his party. That his efforts were not crowned with success was through no fault of his.

WILLIAM McCARY

Sheriff and Tax Collector of Adams County, Natchez, Miss., from 1874 to 1876. From a photograph taken by Major Lynch at Natchez, Miss., in 1868.

HON. B. K. BRUCE

Who was Sheriff and Tax Collector of Bolivar County, Miss., when he was elected U. S. Senator, in 1874.

ROBERT H. WOOD

Sheriff and Tax Collector of Adams County, Natchez, from 1876 to 1878.

CHAPTER III

The Type of Men Elected by Colored Voters

The newly enfranchised blacks at the South, as I have endeavored to show, had no other alternative than to act with the Republican party. That some objectionable persons should have been elected by their votes under these conditions could not very well be prevented; but the reader of Mr. Rhodes's history cannot fail to see that he believed it was a grave mistake to give the colored men at the South the right to vote, and in order to make the alleged historical facts harmonize with his own views upon this point he took particular pains to magnify the virtues and minimize the faults of the Democrats and to magnify the faults and minimize the virtues of the Republicans, the colored Republicans especially. In vol. 7, page 97, for instance, Mr. Rhodes says: "But few Negroes were competent to perform the duties; for instance, it was said that the colored man who for four years was sheriff of De Soto county could neither read nor write. The Negro incumbent generally farmed out his office to a white deputy for a share of the revenue." The above is one of the most barefaced and glaring misstatements and misrepresentations that could

possibly be made. The reader will notice that the allegation is based upon the phrase " it has been said "; but if Mr. Rhodes had been anxious to record only what was accurate and true, he should, as he easily could, have found out just what the facts were, as I have done. The facts were these: When Tate County was created the greater part of the territory composing the new county had been taken from the county of De-Soto. The then sheriff of De Soto County lived in that section which was made a part of the new county of Tate. It thus became necessary for a new sheriff to be appointed by the governor for De Soto County, who could hold office until the election of a sheriff at the ensuing election. Rev. J. J. Evans, a colored Baptist minister and an ex-federal soldier, was thus appointed. Since this took place in 1873, the appointment must have been made by Governor R. C. Powers, who had been elected lieutenant-governor on the ticket with Alcorn in 1869 and became governor when Alcorn went to the United States Senate in 1871. Although he was one of those who belonged to the class called " carpetbaggers," Governor Powers was known to be an honest and upright man, and one who exercised great care in all of his appointments. Governor Powers never could have been induced to appoint a man sheriff of any county who could neither read nor write. Mr. Evans discharged the duties of his position

with such entire satisfaction that he was nominated by the Republicans and elected to succeed himself at the regular election in November, 1873, for the full term of two years. In 1875 he was re-nominated by his party to succeed himself. Mr. Evans's administration had been so satisfactory that when the Democratic county convention met to nominate a county ticket, no nomination was made for the office of sheriff. But between the nomination and election the Democratic organization in the state saw a new light. It was decided that the state must be "*redeemed*," and that nearly all of the counties must be included in that redemption. The Democratic executive committee of De Soto County was, therefore, directed to meet and complete the county ticket by nominating a candidate for sheriff, which was done, and the ticket as thus completed was, of course, declared elected. De-Soto County was "*redeemed*." It is a fact of which Mr. Rhodes may not be aware, that the county sheriff in Mississippi is also the county tax collector, and as such he is required to give a heavy bond. These bonds are usually made by property owners of the county, nearly all of whom are white men and Democrats. Had Mr. Evans been the man described by Mr. Rhodes, he never could have qualified for the office. It is also a fact of which Mr. Rhodes may be not aware, that the county sheriff in Mississippi as the chief

executive and administrative officer of his county is necessarily obliged, regardless of his own qualifications and fitness, to employ a number of assistants and deputies to aid him in running the office. The number of persons, with the salary or compensation of each, is fixed by law or the court, and they are paid according to law out of money appropriated for that purpose. In making these appointments it is both reasonable and natural that the appointing power would favorably consider a suggestion or recommendation from any one of his sureties. At any rate, Mr. Evans had the good sense to surround himself with honest, efficient and capable assistants. He is still living at Hernando, De Soto County, Miss. As I write these lines an autograph letter from him is before me. While it is clear that he is not a college graduate, his letter effectually disproves the allegation that he can neither read nor write. I judge from the contents of his letter that there is no truth in the allegation that he divided any part of his own compensation with any one or more of his assistants. He left the office with a spotless record, every dollar of the public funds that passed through his hands and for which he was liable being honestly and faithfully accounted for.

But even if Mr. Evans had been the man described by Mr. Rhodes, it would have been manifestly unfair and unjust to the colored voters

of Mississippi to select him as a typical representative of those who were elected to important and responsible positions by the votes of colored men. Out of seventy-two counties of which the state was then composed not more than twelve ever had at any one time colored sheriffs, and they did not all hold office at the same time. Of those who were thus honored the writer of these lines was personally acquainted with not less than ten. Mr. Evans was one of the few whom he did not know personally. If Mr. Rhodes had desired to be fair and impartial he would have taken all of them into consideration and would have drawn an average. But this would not have answered his purpose. It would have shown that in point of intelligence, capacity, fitness, honesty and integrity the colored sheriffs compared favorably with the whites. Take, for instance, the county of Adams-Natchez, my own home, where two colored men at different times held the office of sheriff. The first of the two was Wm. McCary, who was elected in 1873. He belonged to that small class known as free persons of color during the days of slavery. His father was the leading barber of Natchez for white business men, and a private school teacher. He taught the children of those who were identified with his own class, of whom there were quite a number, who enjoyed privileges and advantages which were denied the children of slaves. His own children, of course,

were not neglected. Wm. McCary, therefore, had a good English education. He was also a property owner and tax payer. He was one of the two colored men who qualified as a surety on the bond of the writer of these lines when he was appointed a justice of the peace in 1869. He was held in high esteem by the people of the city of Natchez and county of Adams, both white and colored. Prior to his election to the office of sheriff he had served as a member of the board of aldermen for the city of Natchez, and also as treasurer for the county of Adams, and subsequently as postmaster of Natchez, the duties of all of which he discharged with credit to himself and satisfaction to the public. In 1876 he was succeeded as sheriff by another colored man, Robert H. Wood, who in all important particulars was about on a par with McCary. He had previously served as mayor of Natchez, to which position he was elected by popular vote in December, 1870. He was serving the people of Natchez as their postmaster when he was elected to the office of sheriff.

These men not only gave satisfaction to the people whom they served, but they reflected credit upon themselves, their race and their party, and also the community that was so fortunate as to have the benefit of their services. What was true of those two men was also true, in a large measure, of Harney of Hinds, Scott of

Issaquena, Sumner of Holmes, and several others. But if Mr. Rhodes wanted to be fair and impartial and preferred to select but one man as a typical representative of those who were elected to such positions by the votes of colored men, he would have selected B. K. Bruce, who was sheriff of Bolivar County when he was elected to the United States Senate. Mr. Bruce needs no introduction to intelligent and reading Americans. He developed into a national character. He reflected credit not only upon himself, his race and his party, but his country as well. And yet he typified in a most preëminent degree the colored men who were elected to important and responsible positions chiefly by the votes of members of that race.

But the reader of Rhodes's history will look in vain for anything that will give him accurate and impartial information along these lines. His history, therefore, is remarkable, not only for what it says, but for what it leaves unsaid. In fact it is plain to the intelligent reader that he started out with preconceived notions and ideas as to what the facts were or should have been, and that he took pains to select such data and so to color the same as to make them harmonize with his preconceived notions and opinions. He thus passed over in silence all facts which could not be so distorted as to make them thus harmonize. He could find nothing that was

creditable or meritorious in the career of any colored member of either house of Congress, notwithstanding the favorable impression made and the important and dignified service rendered by Revels and Bruce in the Senate, and by such members of the House as Rainey, Rapier, Elliott, Smalls, Cain, Langston, O'Hara, Miller, Cheatham, White and others.

The speech of R. B. Elliott in reply to A. H. Stephens in the debate on the Civil Rights Bill was admitted to be one of the most eloquent and scholarly speeches ever delivered in Congress. But Mr. Rhodes's preconceived opinions and prejudices were so firmly fixed that he was incapable of detecting anything in the acts or utterances of any colored member of either branch of Congress that deserved to be commended or favorably noticed.

The following is a brief extract from the eloquent speech of Mr. Elliott on the occasion above referred to:

"The results of the war, as seen in Reconstruction, have settled forever the political status of my race. The passage of this bill will determine the civil status, not only of the Negro, but of any other class of citizens who may feel themselves discriminated against. It will form the capstone of that temple of liberty, begun on this continent under discouraging circumstances, carried on in spite of the sneers of monarchists and

the cavils of pretended friends of freedom, until at last it stands, in all its beautiful symmetry and proportions, a building the grandest which the world has ever seen, realizing the most sanguine expectations and the highest hopes of those who, in the name of equal, impartial and universal liberty, laid the foundation-stone.

"The Holy Scriptures tell us of an humble handmaiden who long, faithfully and patiently gleaned in the rich fields of her wealthy kinsman, and we are told further that at last, in spite of her humble antecedents, she found favor in his sight. For over two centuries our race has 'reaped down your fields,' the cries and woes which we have uttered have 'entered into the ears of the Lord of Saboath" and we are at last politically free. The last vestige only is needed — Civil Rights. Having gained this, we may, with hearts overflowing with gratitude and thankful that our prayer has been answered, repeat the prayer of Ruth: 'Entreat me not to leave thee, or to return from following after thee, for whither thou goest, I will go; and where thou lodgest, I will lodge; thy people shall be my people, and thy God my God; where thou diest I will die; and there will I be buried: the Lord do so to me, and more also, if aught but death part thee and me.'"

CHAPTER IV

Conditions in Mississippi

But to return to Mississippi. The reader will remember I have previously stated that in point of honesty and integrity the impartial historian will record that the advantage was with the Republicans. This point I will now more fully amplify. Referring to the political and sanguinary revolution which took place in Mississippi in 1875, Mr. Rhodes in vol. 7, page 141, makes use of these words: "Whilst regretting some of the means employed, all lovers of good government must rejoice at the redemption of Mississippi." . . . "Since 1876 Mississippi has increased in population and in wealth; her bonded indebtedness and taxation are low." It is difficult to conceive how an intelligent man, claiming to be an impartial recorder of historical events, could be induced to make such glaring misstatements as the above, when he ought to have known that just the opposite of what he affirms is true, except as to increase in population and wealth. "All lovers of good government must rejoice at the *redemption* of Mississippi." *Redemption* from what? The reader is led to believe that the *redemption* is from bad to good government; from high to low taxes; from increased to decreased

bonded indebtedness; from incompetent, inefficient and dishonest administration to competent, efficient, and honest. Now let us see just what the facts were and are. In 1875 there was just one state officer to be elected, that of state treasurer, to fill the vacancy caused by the death of George H. Holland, who was elected on the ticket with Ames in 1873. The Democrats nominated Hon. Wm. L. Hemingway of Carroll County, whose nomination was favorably received. His life had been an open book. He had the reputation of being an honest, honorable and upright man. In addition, he was identified with that wing of his party which was known to be progressive, liberal and fair. In the early days of Reconstruction the Democratic party in the state was sharply divided into two factions. One, the major faction, adopted what they termed a policy of "masterly inactivity," which meant that white Democrats should take no part in the organization of a state government under the Reconstruction Acts of Congress, with a view of making the work of reconstruction as odious, as objectionable and as unpopular as possible. The other faction believed it to be the duty of the white Democrats to take an active part in the formation of a state government, elect as many Democrats to the state constitutional convention of 1868 as possible, with a view to having a constitution framed which would have very few, if any,

objectionable clauses. Wm. L. Hemingway was one of the latter number, and as such he was elected to the constitutional convention of 1868 from Carroll County. The nomination of Hemingway for state treasurer by the Democratic state convention in 1875 was looked upon as a concession to that element of the party. The Republicans did not fail to see that in order to carry the state they must nominate their strongest and best man, even should the election be fair and honest, as they hoped would be the case; but this hope they had good reason to apprehend would not be fully realized. Capt. George M. Buchanan of Marshall County was nominated. Buchanan had been a brave and gallant Confederate soldier. He had served as sheriff of Marshall County for a number of years. He was strong, able and popular. He was known to be the best fitted and best qualified man for the office of state treasurer. With a half-way decent election his victory even over so popular a man as Wm. L. Hemingway was an assured fact. But the Democrats had decided that the time had come for the state to be " redeemed," peaceably and fairly if possible, violently and unfairly if necessary. With George M. Buchanan as the Republican candidate it was necessary for means to be employed, the employment of which Mr. Rhodes so much regretted, but which he justifies because, as he understands it, they were employed

in the interest of good government. Was this true? Let us see. Buchanan, of course, was declared defeated and Hemingway declared elected. Mississippi was thus "*redeemed*," "for which all lovers of good government must rejoice," but Mr. Rhodes failed to record the fact that this man who was the representative of the *redemption* of the state had been in office a comparatively brief period when the discovery was made that he was a defaulter to the amount of $315,612.19. See chapter 16 of "The Facts of Reconstruction." It would be a reflection upon Mr. Rhodes's intelligence to assume that he was ignorant of this important fact. He must have known it, but to make any allusion to it would be out of harmony with the purpose he evidently had in view. It is safe to assume that if the will of a majority of the legal voters of the state had not been violently suppressed in the interest of good and honest (?) government, but had secured the election of George M. Buchanan, the state, while it would not have been *redeemed*, would have been saved the loss of $315,612.19.

The writer of these lines has never believed that Hemingway was the personal beneficiary of this money or any part thereof, but that he was the instrument in the hands of others. Still, he was the official representative of the *redemption* of the state for which "all lovers of good government must rejoice."

That there was a material increase in the population and in the wealth of Mississippi will not be denied. These two things would have followed even if the state had never been *redeemed*. They were not the result of that *redemption*, but in spite of it. In fact, there was a marked increase in population and in wealth before as well as subsequent to the *redemption*. But when the author states that the bonded indebtedness and taxations are low, the impression necessarily made, and intended to be made, upon the reader's mind is that after the *redemption* took place, and as a result of it, the rate of taxation was reduced, the volume of money paid into the state treasury annually for the support of the government was less than it had been before, and that there had been a material reduction in the bonded debt of the state; none of which is true. See chapter 8 of " The Facts of Reconstruction." If Mr. Rhodes had been disposed to record the truth and nothing but the truth, which is presumed to be the aim of an impartial historian, he could easily have obtained the facts, because they are a matter of record. To give the reader an idea of what the facts were and are, I will take, for purpose of comparison, one example prior and one subsequent to the *redemption* of the state.

In 1875, the year the *redemption* took place, the assessed value of taxable property was $119,313,834.00. The receipts from all sources that

year amounted to $1,801,129.12. Disbursements for the same year, $1,430,192.83. In 1907 the assessed value of taxable property was reported to be $373,584,960. Receipts from all sources, same year, $3,391,127.15. Disbursements, same year, $3,730,343.29. The above figures speak for themselves. They are from the official records, the accuracy of which cannot be questioned. (See chapter 8 of " The Facts of Reconstruction.")

In reading the chapter to which attention is called, the reader will find that during the administration of Governor Ames, which was about half over when the *redemption* took place, the rate of taxation had been reduced from seven mills to four mills, that a material reduction had been made in the bonded debt of the state, and that after the *redemption* took place the tax rate was increased from four mills to six mills, and that by 1907, $732,890.74 had been added to the bonded debt of the state. And yet in the opinion of Mr. Rhodes these are conditions, the inauguration of which made the employment of regrettable means necessary, in regard to which, however, " all lovers of good government should rejoice," since their employment resulted in the *redemption* of the state.

But another evidence of Mr. Rhodes's careless and reckless manner of stating alleged historical facts will be found in a paragraph on page 132, volume 7, of his history. In speaking of Gover-

nor Ames's unsuccessful efforts to have troops sent to the state to assist in maintaining order and insuring a fair and peaceable election, he says: "A number of the white Republicans of Mississippi who had quarrelled or differed with Ames, among whom were both the United States senators, used their influence against the sending of federal troops to Mississippi, and none were sent." The two United States senators at that time were J. L. Alcorn and B. K. Bruce. Bruce was a strong friend and loyal supporter of Ames and did all in his power to have Ames's request granted. This statement is based upon my own knowledge. Senator Alcorn was one of the few white Republicans who had quarrelled with Ames. In fact, he ran as an Independent for governor against Ames in 1873. But he was a Republican United States senator, and as such he had no sympathy with the Democratic party. My relations with both senators were cordial. If Alcorn had used his influence to prevent having federal troops sent to the state, I am sure I would have known it. If he raised his voice or used his pen for such purpose, that fact was never brought to my notice, and I am satisfied it was never done. My own opinion is that he remained reticent and refused to take sides. The true reason why troops were not sent in compliance with the request of Governor Ames will be found in chapter 14 of "The Facts of Reconstruction."

CHAPTER V

The Reconstruction Acts of Congress

"Stevens's Reconstruction Acts, ostensibly in the interests of freedom, were an attack on civilization," vol. 6, page 35. "In my judgment Sumner did not show wise constructive statesmanship in forcing unqualified Negro Suffrage on the South," vol. 6, page 40. The truth is Stevens and Sumner were wiser than their day and generation. They were not favorable to an immediate restoration of the states lately in rebellion, upon any conditions. They knew that after the cessation of hostilities, the flower of the Confederate army, an army which it took the entire North, with all its numbers, immense wealth and almost limitless resources, four years to conquer, would be at the South, and that upon the completion of reconstruction and the withdrawal of the federal troops that army could be utilized to bring about practically the same conditions that existed before the war, hence their opposition to immediate restoration. But in this they were not supported by popular sentiment, even at the North. Popular sentiment did not even support them in an effort to give the colored men the right to vote, conditionally or uncondition-

ally; hence the 14th Amendment was so worded as to leave the question of suffrage, subject to certain conditions, where it had always been, with the several states.

President Johnson, who contended that the rebel states had never been legally out of the Union, had proceeded to organize state governments at the South upon a plan of his own. The principal condition which he exacted of these governments was that they should ratify the proposed 13th Amendment to the Constitution, which would legalize and nationalize the Proclamation of Emancipation. But popular sentiment at the North demanded something more than this, hence the 14th Amendment. It is safe to assume that if the Johnson state governments at the South had accepted and ratified the 14th Amendment, the controversy would have ended and no further action would have been taken. But that Amendment was contemptuously rejected by them. Congress, which reflected the dominant sentiment at the North, was confronted with a grave situation. The fact was soon made clear that no governments could be organized in that section on a plan different from the one supported by the president without giving the colored men the right to vote. After much deliberation this plan was finally adopted and carried out. This is what Mr. Rhodes characterizes as an attack on civilization. To what civilization does he refer?

He surely could not have had in mind the civilization which believed in the divine right of slavery and which recognized and sanctioned the right of one man to own another as his property; yet this was the only civilization upon which the Congressional plan of reconstruction was an attack. But for the adoption of this plan and the subsequent legislation of Congress along the same line, the abolition of slavery through the ratification of the 13th Amendment would have been in name only — a legal and constitutional myth. And yet this is the civilization, an attack upon which Mr. Rhodes so deeply deplores. It is fortunate for the country that a majority of Mr. Rhodes's fellow citizens did not and do not agree with him along these lines.

Since Stevens and Sumner could not secure the adoption of the plan advocated by them, they proceeded to secure the adoption of the best one possible to obtain under conditions as they then existed; hence they insisted, successfully, as was then believed, that the legislation, including the 14th Amendment, should be so framed as not only to create national citizenship, as distinguished from state citizenship, but that it should be made the duty of the federal government to protect its own citizens, when necessary, against domestic violence, . . . that it should be the duty of the federal government to protect them at home as well as abroad, hence the closing clause in the

14th Amendment, which declares that Congress shall have power to enforce the provisions of that Amendment by appropriate legislation.

But, says Mr. Rhodes, the Congressional plan of reconstruction was a failure. The defeat of the Republican party at the North, especially in 1874, he believes " was due to the failure of the Southern policy of the Republican party." In speaking of the action of President Hayes, he says: " Indeed it was the final admission of the Republican party that their policy of forcing Negro suffrage upon the South was a failure." Is it true that Reconstruction was a failure? That depends upon the view one takes of it. That some things many of its friends and supporters expected of it were not fully realized will not be denied; but that it was a failure can and will be easily disproved. Admitting that certain things expected of it by friends and supporters of it were not fully realized, its failure even to that extent was, in a large measure, one of the *results*, but not one of the contributory *causes*, of the Democratic national victory of 1874. The particulars in which the hopes and expectations of many of its friends were not fully realized will be touched upon and explained later. I shall now proceed to show wherein that policy was a great and brilliant success.

In the first place, as I have already stated, when the split between Congress and President Johnson

took place the fact was soon evident that the enfranchisement of the blacks was the only plan possible to adopt by which the one advocated by the President could be defeated. It was frankly admitted that the war for the preservation of the Union could not have been brought to a successful conclusion without putting the musket in the hands of the loyal blacks. The fact was now made plain that the fruits of the victory won on the battlefield could not be preserved without putting the ballot in their hands, hence it was done. Was it a mistake? Mr. Rhodes says it was; but the results prove that it was not. But for the enfranchisement of the blacks of the South at the time and in the way it was done, the 14th, and subsequently the 15th, Amendments to the Federal Constitution never could have been ratified.

The ratification of those two Amendments alone vindicated the wisdom of that legislation. The 14th Amendment, among other things, made the colored people American citizens. It was, in effect, a recall of the famous Dred Scott Decision. The 15th Amendment gave the colored American access to the ballot-box in every state in the Union. The fundamental principles that were carried into effect through the Reconstruction Acts of Congress were embodied in those two Amendments. After the ratification of those Amendments, what had previously been local

became national. No state, North, South, East or West, can now legally and constitutionally make or enforce any law making race or color the basis of discrimination in the exercise and enjoyment of civil and public rights and privileges, nor can it make race or color the basis of discrimination in prescribing the qualification of electors. By the ratification of those Amendments the right of an American citizen to the exercise and enjoyment of civil and political rights and the right to vote ceased to be local and became national. But it is claimed by some that because the 15th Amendment is successfully evaded in some states, it is, for that reason, a failure. That point will be touched upon and to some extent elaborated later. I will state here in passing, however, that no law or constitution has ever been made or ever can be made that cannot at certain times and in some places be successfully evaded. This does not necessarily prove that the law or constitution in question is a mistake and should, for that reason, be repealed. To the extent and for the reasons and purposes above stated, the wisdom of the Reconstruction Acts of Congress has been more than vindicated.

In addition to what is said above I am satisfied that if the colored men of the South had not been enfranchised at this time and this way, but each state had been allowed to determine for itself whether or not any of the colored inhabitants

thereof should be allowed to vote, as Mr. Rhodes thinks should have been done, there would be very few states, even now, in which the right to vote would be granted to any of the colored inhabitants. I repeat, therefore, that if nothing else had been accomplished as the result, the ratification of the 14th and 15th Amendments to the Federal Constitution more than vindicated the wisdom of that legislation.

In what, then, was Reconstruction a disappointment? I have frankly stated that some of the hopes and expectations of a number of the friends and supporters of the Congressional plan of reconstruction have not been fully realized. They hoped and believed, for instance, that when equal civil and political rights were conferred upon the colored American and he was given access to the ballot-box upon the same terms and conditions applicable to whites, he had been clothed with a weapon by which he could defend and protect himself against wrong and injustice. The disappointment grows out of the fact that in some localities these hopes and expectations have not been fully realized. It is safe to assume that if Stevens and Sumner had lived long enough to witness the final results of that legislation they would not be among those who were thus disappointed, because they foresaw what the final result in some instances and in some states might be, and therefore advocated the adoption of the

necessary means to anticipate them and to prevent their successful consummation. Since the 14th Amendment had created national citizenship and had incorporated the colored American into the body politic of the country, they insisted, successfully, upon the enactment of such legislation as made it the duty of the National administration to protect the individual American citizen against domestic violence whenever the state in which he might live should fail, refuse or neglect to do so. That Congress possessed the constitutional right to pass laws for that purpose was an interpretation in harmony with the construction placed upon the 14th Amendment by the Republican leaders in and out of Congress, which included some of the ablest constitutional lawyers our country had produced, some of whom had a hand in framing that Amendment. It was not only in harmony with the construction placed upon the 14th Amendment by the Republican leaders, but also by the party itself as expressed from time to time in the platforms adopted by its national conventions.

The attitude of the party on this point was never more clearly and succinctly set forth than by the Chicago *Tribune* as late as July, 1888, a newspaper which then was, and now is, one of the strongest and most influential newspapers in the country. In its issue of July 3, 1888, that able paper defined the attitude of the party upon this

point in these words: "Questions of policy, such as the tariff for revenue, are wholly subordinate to the cardinal doctrine of Republicanism. That the national government is supreme in its jurisdiction and represents an indestructible union of indissoluble states, and as a sovereign power owes protection to and claims allegiance from all its citizens at home and abroad, is the vital fundamental doctrine of the Republican party." In harmony with that construction of the Constitution, Congress passed the necessary laws, having for their object the protection of individual citizens of the United States against domestic violence, this power being lodged primarily in the president, to be exercised and used by him whenever in his judgment a state should fail, refuse or neglect to afford that protection. Under this legislation the secret and lawless political organization known as the Ku Klux Klan was crushed out by President Grant, through the successful prosecution of many of its leaders in the federal courts and through federal machinery. It is claimed by some in recent years that the primary purpose of this organization was the protection of white women against the assaults of vicious colored men. But every student of American history knows that this is not true. He knows, on the contrary, that it was a secret political organization brought into existence for the sole purpose of wresting the state governments at the South

from the party then in control of most of them, through lawless methods, such as intimidation and murder. The protection of women had nothing whatever to do with it. In fact, the student of American history knows that during the Reconstruction period, and prior thereto, such a thing as an assault upon a white woman by a colored man seldom, if ever, occurred. While reports of that character during the past quarter of a century have been largely exaggerated, it is admitted that more crimes of the sort have been committed during this period than during the preceding century. For this there must be a reason. The subject is one which has occupied no inconsiderable part of my most serious consideration and reflection. My conclusions will be given to the public through a work which I have in contemplation. But the protection of women was not one of the objects and purposes of the Ku Klux Klan.

CHAPTER VI

States Rights

That the hopes and expectations of some of the friends and supporters of the Congressional plan of reconstruction have not been fully realized are due, in a large measure, to the reasons given below, and they also account for the actions of many Southern white men in deserting the Republican party. In Mr. Rhodes's opinion one of the reasons for Democratic victories at the North, subsequent to 1872, was due to a conviction in the public mind that the Congressional plan of reconstruction was a failure. In this I am satisfied he is mistaken. As I have already stated, what Mr. Rhodes is pleased to term the failure of the Congressional plan of reconstruction, but which, in point of fact, was not, in its important and essential particulars, a failure, was one of the *results* but not one of the primary *causes* of the national Democratic victories in 1874 and subsequent thereto. I am satisfied in my own mind that very few men at the North who voted the Republican ticket in 1872, and the Democratic ticket in 1874 were influenced in changing their votes by anything growing out of, or connected with, the reconstruction policy of the government. On the contrary,

they regarded that question as having been settled, hence they could give their attention to other matters. Some things connected with the national administration, among them the back salary bill and the financial panic of 1873, had brought the administration into popular disfavor, hence the Democratic victories of 1874. But let the reasons be what they may, the results and the effect were the same as if the Congressional plan of reconstruction had been the sole question upon which the people had rendered judgment. After the presidential election of 1872 further opposition to the Congressional plan of reconstruction had been completely abandoned. But after the Democratic victories of 1874 a radical change in the situation immediately took place. It was then determined that the work of *redemption* should be commenced without further delay, and that a propaganda should at the same time be organized through which the North should be kept misinformed with reference to the actual political situation at the South. That the efforts of those engaged in this propaganda have not been wholly in vain, subsequent events have amply demonstrated. But even if popular sentiment throughout the country were on the right side of this important question, it would ameliorate, but would not wholly remedy, the evils complained of, as I shall point out later on. I repeat, public sentiment can ameliorate, but will not cure, these

evils, on account of several unfortunate decisions rendered by the United States Supreme Court, the result of two unfortunate appointments to seats on the Bench made by President Grant. The judges referred to are Waite of Ohio and Bradley of New Jersey. Both were supposed to be Republicans and believed to be in accord with the other leaders and constitutional lawyers in the Republican party in their construction of the war amendments to the Federal Constitution. But they proved to be strong States Rights men, and therefore strict constructionists. Those two, with the other States Rights men already on the Bench, constituted a majority of that tribunal. The result was that the court declared unconstitutional and void, not only the National Civil Rights Act, but also some of the principal sections of the different enforcement acts which provided for the protection of individual citizens by the national government against domestic violence. National citizenship had been created by the 14th Amendment and the general government had been clothed with power to enforce the provisions of that amendment. Legislation for that purpose had been placed upon the statute books, and they were being enforced whenever and wherever necessary, as in the case of the lawless and criminal organization called Ku Klux Klan. But the Supreme Court, very much to the surprise of everyone, steps in and ties the hands of

the national administration and prevents any further prosecutions for violence upon the person of a citizen of the United States, if committed within the limits of any one of the states of the Union. In other words, if the state in which a citizen of the United States may reside cannot, does not or will not protect him in the exercise and enjoyment of his personal, civil and political rights, he is without a remedy. The result is that the general government is placed in the awkward and anomalous position of exacting support and allegiance from its citizens, which are presumed to be paramount, to whom it cannot in return afford protection unless he should be outside the boundaries of his own country. By those unfortunate and fatal decisions the mischievous doctrine of States Rights, called by some state sovereignty, by others local self-government, which was believed to have perished upon the battlefields of the country, was given new life, strength and vitality. The decision declaring the Civil Rights law unconstitutional was rendered by Mr. Justice Bradley, and nearly all of those by which some of the principal sections of the different enforcement laws were nullified were rendered by Chief Justice Waite.

States Rights, or state sovereignty, has been the source and the cause of all of our national ills since the foundation of the government. It was the chief corner-stone upon which the institution

of slavery rested. It was the cause of the conflict between the North and the South, which brought on the war of the rebellion. The contention of the South was that whatever is sovereign is necessarily supreme, and since from their point of view each and every state was a sovereign body, the right of a state to remain in or withdraw from the Union could not be denied — a contention which would seem to be in perfect harmony with the doctrine of state sovereignty, a denial of which was a repudiation of that doctrine. Hence it was hoped and believed that this vicious doctrine came to an end when the surrender took place at Appomattox. It was so regarded by its advocates and champions at the South, who had decided to gracefully accept the situation and govern themselves accordingly, when very much to their surprise and gratification the Supreme Court, through the dominating influence of Chief Justice Waite and Associate Justice Bradley, came to their rescue and reaffirmed and re-established, in effect at least, the principle and doctrine for which they had always contended.

Just as States Rights had been the cause of all our national ills before the war of the rebellion, all our national woes, troubles and misfortunes since that time are due to the same cause. It is the foundation pillar which supports the so-called solid South, the solidity of which is based, not upon the will, but contrary to the wishes of a

majority of the people of that section. Those unfortunate decisions, some of which were characterized by the late Justice Harlan as a process of judicial legislation, made such conditions possible. The reaffirmation of that vicious doctrine is not only the foundation upon which the so-called solid South is based, which was brought about and can be maintained only through a violation or evasion of the national Constitution, but it is also responsible for lynch law, political proscription, racial discrimination and official segregation. In fact, it has a tendency to encourage and promote sectional animosity, racial antagonism and class discrimination. That the colored American has been the principal sufferer during the last quarter of a century is merely incidental. Members of that race may be the chief victims today; those of another race or group may be the principal victims tomorrow. The mischief grows out of the fact that the National Government cannot interfere in any event and under any circumstances. States Rights, therefore, means the rule of the mob in any state or locality where the mob spirit is strong enough to dominate, influence and control popular sentiment in that state or locality. Take, for instance, the case of Leo Frank in Georgia, a Hebrew, but a white man, who was generally believed to have been judicially lynched, and known to have been physically lynched later. Many, if not all, of those who composed

the mob that took this man's life are, no doubt, well known to the people of that state and locality, yet nothing has been done in the case of any one of them, and nothing ever will be done. If the governor that commuted the sentence of Frank had been lynched, as was threatened, the result would have been the same, and if the President of the United States had publicly denounced the crime and had gone to Georgia and been lynched, the result would not have been materially different, because under the doctrine of states rights, each state is a law unto itself, and in its sovereign capacity as an independent state must be its own judge as to what constitutes law within its borders. It may not be in accord with what is law in any other state, but that makes no difference. What should constitute law in Georgia is Georgia's business, and any interference by outsiders is a violation of the sacred prerogatives of the sovereign state of Georgia, and therefore cannot be tolerated. This is the principal reason why popular sentiment in the country as a whole may ameliorate, but cannot remedy, the evils complained of.

CHAPTER VII

Why White Men at the South Left the Republican Party

The true reason, therefore, why so many white men at the South left the Republican party may be stated under three heads. First: The Democratic victories of 1874, which were accepted by Southern Democrats as a national repudiation of the Congressional plan of reconstruction. Second: The closeness of the presidential election of 1876, and the bargain made and entered into between the Hayes Managers and Southern Democratic members of Congress by which the South was to be turned over to the Democrats of that section in consideration of their giving consent to the peaceable inauguration of Hayes. Third: The decisions of the Federal Supreme Court above referred to, by which the doctrine of States Rights was given new life, strength and vitality. It is true there are some men whose party affiliations are based upon principle and conviction, regardless of consequences personal to themselves. Occasionally some are found who are even willing to be martyrs, but they are exceptions to the general rule. The average man is politically ambitious. He desires political dis-

tinction and official recognition. In determining his party affiliations, therefore, he is more than apt to cast his lot with the party through which he believes that ambition may be gratified.

After the consummation of the events above referred to, the conviction became settled in the minds of white men at the South that the Democratic party in that section would be, for a generation at least, the only channel through which it would be possible for any one to have his political ambition gratified, hence thousands of those who had previously joined the Republican party returned to the Democratic, since that party presented the only hope for their future political ambitions.

I hope the readers of these pages can now see why thousands of white men at the South who joined the Republican party between 1868 and 1876 afterwards left that party and became identified with the Democratic party. I trust I have made it clear that the reasons given by Mr. Rhodes are not the true ones.

CHAPTER VIII

The Solid South

Notwithstanding what has been said, the solid South of today is not the national menace that it was forty years ago, because at that time it included the border states of Delaware, Maryland, West Virginia, Kentucky, and Missouri, which states were then as reliably Democratic, even in presidential elections, as the states of Texas and Georgia. Such is not true of them now. Whilst three of them went Democratic at the presidential election of 1916, not one of them should be included in what now constitutes the solid South. But if it took forty years for the development of the slight change in the border states named above, it will take, under like conditions, about one hundred years more for the same progress to be made in the states which now comprise what is called the "solid South." The truth is that the solid South could have been, and would have been, long since a thing of the past but for the fact that the national Republican party has lacked the courage of its convictions in dealing with the situation. It has not only failed to meet bravely the issue thus involved and denounce and oppose the methods that have been adopted and en-

forced with the purpose of violating and evading the war amendments to the Constitution, but it has acquiesced in them, indirectly at least, as, for instance, in the change that was made in the basis of representation in the national conventions of the party, which resulted in reduced representation from the states in which the colored vote is suppressed. To the reduced representation *per se* there can be no objection. The objection is not to the *result*, but to the *method* adopted to bring it about, making the party vote, as per the official returns, the basis of representation. No plan could be adopted that would be sectionally more inequitable, unjust and unfair than this. So far as the South is concerned, it is equivalent to an acceptance and endorsement of the methods that have been adopted in some of those states to exclude the colored men from the ballot-box. Since representation in national conventions prior to this last change was based upon the state's representation in Congress, it necessarily follows that if the representation in Congress from those states were reduced in the manner prescribed by the 14th Amendment, the representation in the national conventions of the party would be reduced as a result, to which no objection would be made. But making the party vote the basis of representation will prove to be unsatisfactory, inequitable and sectionally unjust, even if no state violates or evades the 15th

Amendment. There are some states, for example, in which women vote. This is likely to produce sectional inequality, which cannot be other than unsatisfactory. Then again, the question with which the party will find itself confronted is, what is the party vote? In the presidential election of 1916, according to the official returns, thousands of Republicans, especially in California, Kansas and Minnesota, must have voted the national Democratic ticket and the local Republican ticket. On the other hand, thousands of Republicans in the State of Illinois must have voted the Democratic local ticket and the Republican national ticket. Any plan under the existing apportionment that may be adopted must be uniform, therefore arbitrary and consequently unsatisfactory. The change in the basis of representation was unfortunate and unwise. It is safe to assume that the change never would have been made but for the apparent sectional inequality in representation resulting from the suppression of the colored vote at the South. The change was equivalent to an acquiescence in the methods by which that vote is suppressed, rather than a strong and vigorous condemnation and denunciation of them.

With reference to the political situation at the South, popular sentiment at the North has been radically wrong for a number of years. That sentiment is fairly and clearly expressed in the

following paragraph, taken from the leading political editorial which appeared in the Chicago *Tribune* in its issue of November 16th, 1916: "We are for having the South attend to its local political affairs as it sees fit. We concede the South the right to protect white domination. The Negro *en masse* is unfit to rule the South, and if the only fashion in which he can be kept from ruling is to keep him from voting, then keep him from voting." That the *Tribune* reflects, in the above, the dominant sentiment of the North at this time, and what it has been for a number of years, is, I think, unfortunately true. The reader will remember that I have made a quotation approvingly from the same paper, but that was what the *Tribune* thought and said in 1888. The *Tribune* of 1916 is not the *Tribune* of 1888. Still, it is a strong, able and influential paper. It wields, no doubt, a great and wonderful influence in molding and shaping popular sentiment in the territory in which it circulates. That such an influential journal should be so radically wrong upon this vital and important national question is a great misfortune. The views entertained by the editor of the *Tribune* are not, I am sure, based upon his own knowledge and experience; but they are based upon what he has read, chiefly from such works as Rhodes's history, for no one can read what is therein recorded and accept the same as accurate and authoritative without coming to

the same conclusions as those expressed by the *Tribune*. I give the editor of the *Tribune* credit for being honest and sincere in the belief that if the colored vote were not suppressed, "Negro domination" would be the result in states and districts in which the blacks outnumber the whites. Even if this were true, if he were actuated by that sentiment which should actuate every true American citizen, he would be opposed to the inauguration of any extraneous or questionable methods to defeat and prevent it. The true spirit which should actuate and control every law-abiding American is the faithful execution and enforcement of every law, while it is law whether it be good or bad, wise or unwise. If a law is found to be bad or unwise, it is far better that it be repealed than violated.

But the editor of the *Tribune* is mistaken in assuming that "Negro domination" would be the result in any state or district if the colored vote were not suppressed. His conception of "Negro domination" is different from that entertained by the representatives of the southern oligarchy. What the editor evidently had in mind is the actual physical domination of the blacks in local administration. This is incorrect. What is meant by "Negro domination" at the South is the election, for instance, of one white man over another, to whose election the colored vote may have contributed. In other words,

whenever the choice of a majority of the whites is defeated by the votes of colored men, the man thus elected, though a white man, represents " Negro domination." If, for instance, the editor of the *Tribune* happened to be a citizen of South Carolina and nominated by the Republican party of that state for governor, and if all of his associates on the ticket should be members of the same race and of his own personal selection, the same methods would be employed to defeat that ticket as would be employed if the ticket were made up exclusively of colored men. Why? Because its election would result in the defeat of the wishes of a majority of the white men of the state, and this would mean " Negro domination." What is true of the state locally is true of the country nationally. Hence the same methods which would be used to defeat the Republican ticket in the state, even should all of its candidates be reputable white men, would be used to defeat the Republican candidate for President of the United States, and for the same reasons. The masses of Southern whites have been taught to believe that the Republican party, nationally and locally, or any other party, for that matter, which may be in opposition to the Democratic party, is the anti-white party, while the Democratic party is the white man's party.

In the presidential campaign of 1916, the *Tribune* strongly and ably supported Judge

Hughes, the Republican candidate for President. After the election it bitterly denounced the solid South for being solid in national elections, and yet it supports, defends and endorses the methods by which that solidity was brought about and is maintained. This is inconsistent. As long as the *Tribune* entertains the views to which expression is given in the paragraph above quoted, it should not criticise and find fault with the fruits of its own teachings. It is strange and inexplicable that intelligent and well-informed men like the editor of the *Tribune*, Ex-President Taft, Senator Borah and thousands of others cannot see that this is not a racial but a political question — that it is not a contest between races but between parties. But as long as such men can be deceived, thus causing popular sentiment to excuse, justify and tolerate methods that would otherwise be condemned, just so long will the conditions of which they complain continue to exist. As I have already pointed out, popular sentiment will ameliorate, but, owing to the resuscitation of the doctrine of States Rights, cannot eradicate, the evils of which complaint is made.

If in every Southern state today no attempt were made to violate or evade the 15th Amendment, and colored men were allowed free and unrestricted access to the ballot-boxes and their votes were fairly and honestly counted, there

would be no more danger of " Negro domination " in any one of these states than there is of female domination in states where women have the right to vote. All that colored men have ever insisted upon was to participate — not to dominate — not to rule, but to have a voice in the selection of those who were to rule. In view of their numerical strength the probalities are that more of them would be officially recognized than in other sections of the country, but never regardless of their fitness and capacity, unless there should be a repetition of conditions that existed in the early days of Reconstruction, which is improbable. The dominant element in the Democratic party in that section at that time adopted, as I have already stated, what was called the policy of " masterly inactivity," which was intended to prevent white men, through threats, coercion, and intimidation, from taking any part in the organization and reconstruction of the state governments, with a view to making the governments thus organized as odious and as objectionable as possible. In other words, to make them, in point of fact, " Negro governments." This policy proved to be somewhat effective in many localities. Consequently, the colored men found much difficulty in finding desirable white men outside of the Democratic party for the different positions at their disposal, which made it necessary in some instances for colored men to be

selected to fill positions for which white men would have otherwise been chosen. But under the present order of things a repetition of anything of this sort would be wholly out of the question.

That so many intelligent people at the North should be so easily deceived about the situation at the South is almost incomprehensible. Even so astute a statesman as the late James G. Blaine was a victim of the same delusion. He believed, in the first place, that from a standpoint of gratitude for his action in defeating the Federal Elections Bill of 1875, and his friendly interest in certain Democratic leaders from the South, notably Mr. Lamar of Mississippi, that even as the candidate of the Republican party for the Presidency of the United States he would get fair treatment at the South. He lived long enough to see and acknowledge his mistake. In the second place, his idea was that the Republican party had nothing to fear from a solid South, because in his opinion a solid South in support of the Democratic party would produce a solid North in support of the Republican party. While it is true that the vote of the South has not been decisive in any presidential election since 1884, when Mr. Blaine was himself the victim of his own delusion, until 1916, Mr. Blaine ought to have had sagacity and foresight enough to see that to maintain a solid North in support of the Republican party was

wholly out of the question, for the reason that the people of that section are free and independent and think, speak and act for themselves. Consequently they are not only open to reason, argument and persuasion, but they are likely to change their opinions and their votes in accordance with changed conditions that may take place from time to time. Not so with the South. In that section party affiliation is largely the result of habit, custom and tradition. Like property, it is in most instances a matter of inheritance. The masses of the white men are Democrats, not because of convictions based upon their own study and investigation, but because it is the custom of the section in which they live. To be anything else they would be out of touch with their neighbors, friends, associates and companions. Some of them attend political meetings, not for information or instruction, but for diversion and amusement, and sometimes to satisfy curiosity. Sometimes a man who may be out of harmony with the local order of things will give expression to his views in conversation, but his case is one of such isolation that no serious account is made of what he may say, especially if no effort is made by him to bring about organized opposition to existing local conditions. The machine is usually in the hands of trained and experienced persons who will not tolerate serious nor effective opposition from any quarter. They attach no impor-

tance to platform declarations, local, national or otherwise, nor to the personnel of opposing candidates. They are for the party and the candidates to which the local machine may belong, it matters not what the platform may declare or the candidates may say. That the national Democratic party is the beneficiary of their partiality and support is merely incidental. If they were called upon to choose between the national Democratic organization and what they call "local self-government" they would choose the latter. This is the altar upon which Samuel J. Tilden was sacrificed in 1877.

In writing these lines I do not wish to create the impression that there are no white men at the South who are independently inclined and who are not disposed to rebel against the local oppression to which they are now subjected. On the contrary there are many thousands of them, but as long as influential papers like the Chicago *Tribune* support and defend the methods by which they are held in political subjection, they can do nothing. Their hands are tied, their lips are sealed and their voices are hushed. All they can do is to remain quiet and bide their time. At present they have no incentive to make a break. They know that under existing conditions the effort would be useless and nothing can be accomplished. The *Tribune* and other influential papers may eventually see their mistake and take

a position through which a popular sentiment will be created throughout the country that will result in liberating the conservative white men of the South from the political bondage to which they are now subjected. The *Tribune* bitterly complains about the solidity of the South in national elections. It declares that so far as that section is concerned the presidential election of 1916 was decided in 1865. That is true; and if popular sentiment at the North remains what the *Tribune* represents it to be, the same will be true of the South for at least the next century.

CHAPTER IX

The Difference Between Southern and Northern White Men.

As political strategists the Northern white man is not the equal of his Southern brother. The average Northern white man has his heart set upon the accumulation of wealth, to which he subordinates everything else, politics not excepted. The average Southern white Democrat has his heart set upon obtaining and retaining control of the machinery of government, state and national, to which he subordinates everything else, the accumulation of wealth not excepted. He is not very much concerned about the means to be used and the methods to be employed. It is the results politically about which he is concerned and in which he is interested. This fact has been clearly established through his willingness to run the risk of having the producers of the only wealth and prosperity possible for him to possess demoralized and driven out of many parts of that section, simply because he finds this mythical race question to be his best paying political asset. As long as the political agitator finds this question can be successfully utilized to enable him to secure political distinction and

official recognition he will continue to utilize it, regardless of the consequences that may follow in other directions.

The South is the natural home of the average colored American. He would rather live there than in any other section of the country. Its climate and soil are better adapted to his wants and needs than that of any other section. He knows more about producing cotton, corn and sugar than he does about producing wheat, rye and oats. He prefers to remain at the South, but he wants to feel and to know that in the enjoyment of life, liberty and property he has the protection of society and the law, and that he is permitted to have a voice in the government under which he lives and by which he is taxed. He wants to feel and to know that his presence is not utilized for purposes of political exploitation. He is willing to have his presence utilized as a commercial, but not as a political asset. The colored American will remain at the South unless he finds that by going elsewhere he can improve and better his condition financially and otherwise and escape from outrage and oppression. But the average Southern political agitator finds this mythical race question has served his purpose for such a long time that he is not disposed to abandon it. In fact he will never abandon it as long as it can be made to answer his selfish purposes.

During the last forty years he has been quite successful, through a well-directed and organized propaganda, in shaping popular sentiment at the North by appealing to the Northern white man's sympathies on the one hand and to his timidity and financial interests on the other. During that period he has been fairly successful in impressing the fact upon the mind of the Northern white man that it is to his financial interest to let the South have its own way and do what it pleases in the management and conduct of its local affairs, even at the risk of having that section placed in control of the national government.

CHAPTER X

Some of the Republican Party's Mistakes

The trouble with the Republican party is that during this important period it has lacked the courage to meet bravely this vital and important question. This unfortunate fact was brought to a painful climax during the administration of Mr. Taft, whose Southern policy was an abject, complete and unconditional surrender to the Southern oligarchies, including the elimination of the colored American as a political factor. Of all the experiments that had been tried looking to the dissolution of the solid South, this one was the most indefensible and inexcusable. Mr. Taft's idea seems to have been that it was only necessary to convince the South that the sole difference between the two major parties was that one stood for a little higher rate of duty on foreign imports than the other: that in all other respects the two parties stood practically for the same things, and that so far as the colored American was concerned the South had no more to fear from Republican than from Democratic success. The thought never seems to have occurred to Mr. Taft that there are thousands of citizens who have acted with the Republican party and supported its candidates, not on account of the attitude of the

party on the tariff question, but in spite of that fact — not because they were in accord with the party on that question, but because the party stood for national supremacy, human rights and manhood suffrage. This was clearly and distinctly set forth by the Chicago *Tribune* in its issue of July 3, 1888, quoted above. As long as the party was sound along those lines it could safely count upon the loyal support of that large, important and influential element, regardless of its position and attitude upon other questions and issues, because the principles and doctrines thus defined they deemed to be paramount. But when they were abandoned and repudiated by Mr. Taft, his administration and the party which he represented had no further claim upon their loyalty and support. It is, therefore, not at all surprising that such a weak and spineless administration should fail to command and receive public support.

Then, again, it seems never to have occurred to Mr. Taft that there was not a particle of sincerity in the alleged apprehension of "Negro domination." If he had been a diligent student of the political history of his country he would have known that this was a mere pretext and excuse used for purposes of deception. Very few believed that a man of Mr. Taft's intelligence could be thus deceived; hence his opponents smiled at his credulity and rejoiced at his political calamity.

What he intended as a concession was accepted as evidence of weakness, which was true. Since the presence of the colored man in politics was not the cause of the evils complained of, his political elimination, of course, would not remedy them. But even if it had been otherwise, Mr. Taft's course would still have been reprehensible and inexcusable. He should have gone into office with a fixed determination that the Constitution and laws should be obeyed and enforced, that the rights and privileges of American citizens should be protected as far as this could be done by the chief executive, both at home and abroad, and without regard to differences of race, color, nationality or religion, and that in making appointments to office, instead of declaring that no member of any one particular race or group would be recognized or considered if members of another race or group objected (thus giving national sanction, aid and encouragement to racial discrimination and segregation), he should have made it known that the door of hope and of opportunity would be closed against no American citizen on account of race, color, nationality, section or religion, but that all would be considered upon the basis of efficiency, experience, ability and integrity. In that event his administration would have gone down in history as one of the strongest and best with which our country had been blessed.

CHAPTER XI

How to Remedy Existing Evils

But how and in what way are the existing evils to be remedied? The Chicago *Tribune* clearly points them out — the evils, but suggests no cure. As long as it adheres to the position stated in its editorial of November 16, 1916, quoted above, and popular sentiment at the North supports and sustains the same, there can be no remedy and it is useless to complain. Those who suggest a repeal of the 15th Amendment as a cure simply show their lack of intelligent comprehension of the situation. The repeal of that Amendment would not only fail to modify and improve the situation, but would magnify and intensify it. In the first place, there are very few states in which any effort is made to evade the 15th Amendment by legislative enactment or constitutional provision, but if the Amendment were enforced in those states what remains of the solid South would be a thing of the past. As political parties are now, the States of Mississippi, Louisana and South Carolina, with twenty-nine electoral votes, would be, especially in national elections, as reliably Republican as the State of Vermont, whilst Alabama and Florida would be close and

doubtful, with chances in favor of the same party. But the principal reason why the abrogation of the 15th Amendment would not remedy existing evils is because representation in Congress, and consequently in the electoral college, is based not upon votes or voters but upon population. It is, therefore, the physical presence of the colored man at the South, and not his participation in politics or in elections, that gives that section a representation in Congress and in the electoral college out of proportion to its voting strength as revealed by election returns. It will be seen, therefore, that the abrogation of the 15th Amendment would afford no relief whatever from the evils of which complaint is so justly made. But there are those who profess to believe that if the 15th Amendment were repealed the fear of "Negro domination" would disappear and then white men at the South would divide on economic questions as they do at the North, hence the South would no longer be solid in the support of any one party. Those who thus believe are unpardonably ignorant of the Southern political situation. If that impression had been well founded it would have developed under the administration of Mr. Taft. Again, let us take the State of Mississippi, in which the 15th Amendment has been successfully evaded for the last quarter of a century. During that period there has been no more danger of "Negro domi-

nation" there than in the State of Illinois, and yet this mythical race question is the only one that is ever considered or discussed in Mississippi. They know very little about the tariff and care less. They are not interested in that or any other economic question; what they are interested in and concerned about is control of the machinery of government, state and national. Why, then, should they consider and discuss what to them are extraneous matters when the mythical race question will answer their purpose? And it will continue to answer their purpose as long as popular sentiment at the North remains what it is — as long as papers like the Chicago *Tribune* continue so to mold and shape popular sentiment at the North as to cause it to sanction and approve the extraneous and questionable, if not illegal, methods that have been adopted in several states at the South to suppress the colored vote. No, it is the presence of the colored man, even in these states, as a prospective voter that gives the white men who are independently inclined their only hope of future deliverance from political tyranny and oppression. White men of that class (and they are among the best in that section), are now quiet and inactive and will remain so until there comes a radical change in popular sentiment throughout the country. Just as soon as they can see a reasonable prospect of deliverance from political oppression they will strike the

blow, knowing that they can depend upon the loyal co-operation and support of their fellow colored citizens. Repeal the 15th Amendment, and this prospect and this hope will be forever destroyed. Yes, the colored people of that section will cheerfully co-operate with and support the better element of the whites in any movement they may make to bring about deliverance from the local tyrannical oppression to which they are now subjected. They have done so in the past. They will do the same thing in the future.

CHAPTER XII

The Supreme Court Decision

Already the liberal element among the whites at the South sees a ray of hope in the decision of the United States Supreme Court by which the different schemes to evade the 15th Amendment are declared unconstitutional and void. The present court has no doubt seen some of the bad effects of previous decisions rendered by that tribunal and are now disposed to remedy some of them by placing a more liberal construction upon the war Amendments to the Constitution. But let the reasons be what they may, the effect of the decision is beneficial and encouraging. No immediate results, of course, will follow, but it has prepared the way for future union, co-operation and fusion of the better element of the two races at the South, which will ultimately result in the restoration of representative government there. In the meantime, if the North wants to remedy the existing evils of which it so justly complains, it must recognize the fact that this is not only a legal but also a great moral question, in the settlement of which there can be no compromise and no middle ground. It must insist that the Constitution and laws be enforced, re-

spected and obeyed. It must cease to approve, justify, tolerate and excuse questionable methods for the suppression of the colored vote upon the absurd and ridiculous plea that they are necessary to prevent "Negro domination." Will the North have the courage to take this stand? Perhaps it will, but I fear not. If not, all complaints and faultfinding about the solid South may as well cease, for under present conditions no material change may be expected for an indefinite period.

CHAPTER XIII

The Mississippi Constitution of 1890

Mr. Rhodes may contemplate bringing his history down to a period subsequent to "the restoration of home rule at the South in 1877." To enable him to be more accurate in what he may write about the State of Mississippi I will take the liberty of recording a few facts bearing upon this subject.

Mississippi was the first state that invented a scheme to disfranchise the colored men through an evasion of the national Constitution. It was done in the fall of 1890, through the medium of a constitutional convention. The better and more liberal element of the Democratic party of the state, under the leadership of United States Senator E. C. Walthal, was opposed to the proposed constitutional convention. That element contended that the constitution that was framed in 1868 and ratified in 1869, the Reconstruction constitution, was an excellent document, and that the amendments and changes desired were not sufficient to justify the calling of a convention to frame a new organic law for the state. But the radical element, under the leadership of United States Senator J. Z. George, was successful and

the convention was held. Senator George had himself nominated and elected a delegate from the state at large. When the convention met, the fact appeared that the delegates were divided into two strong and hostile factions, one under the leadership of Senator George, who insisted upon the adoption of the scheme of which he was the author, called the "Understanding Clause," the purpose of which was to evade the 15th Amendment to the Federal Constitution — to do indirectly that which could not be done directly. The other faction was under the able leadership of Judge J. B. Christman, of Lincoln County, who insisted upon the adoption of a plan of which he was the author, that there be established an honest educational qualification as a condition precedent to voting, the same to be applicable to both races alike. Strong and able arguments were made for and against both plans. Many able lawyers agreed with Judge Christman in the opinion that the George plan would not stand the test of a judicial interpretation, while no one questioned the constitutionality of the plan proposed by Judge Christman. Under the Christman plan illiterates of both races would be excluded, whilst the George plan was so worded as to put it in the power of those in control of the election machinery to exclude the illiterates of one race without excluding those of the other. It looked for a while as if the Christman plan would

be adopted, but the supporters of the George plan were desperate and determined. The president of the convention, Judge S. S. Calhoun, was prevailed upon to leave the chair and come to the floor of the convention and take part in the debates in defense of the *George* plan. He spoke with more frankness and candor than any of the other speakers. He had nothing to conceal. He called attention to the fact that the party of which all of the delegates were members had been carrying elections in the state since 1875 by methods that were wholly indefensible, such as murder, perjury and fraud. These methods, he contended, should be discontinued and wholly abandoned, because they were corrupting the morals of the people of the state, and yet " white supremacy " must be maintained at any cost. The rejection of the George plan, he contended, would result in the continuance of the methods to which he had referred. Pointing dramatically at the advocates of the Christman plan, he exclaimed that in the event of the adoption of the plan advocated by them, the blood of every Negro hereafter killed in an election riot would rest upon their shoulders. When the vote was finally taken it was found that a majority had voted for the questionable George plan, a fact which created intense excitement throughout the state. It was soon made clear that the constitution would be rejected when submitted to the people for ratifi-

cation. The Democratic press of the state was about equally divided for and against it. It was estimated that at least forty per cent of the Democrats would vote against it, whilst the Republican vote would be solid against it. But the George faction was equal to the occasion. They did not intend to allow their work and their heroic efforts to be wholly in vain. When the fact was made plain to them that the constitution as thus framed would be rejected by the voters, they coolly decided that the dear people should not be allowed to pass judgment upon it, hence the convention that framed it declared it ratified and by ordinance fixed the date when it should go into effect. This was in the fall of 1890. Since that time the people of that unfortunate state have been living under a constitution which they had no voice in making and which they would have rejected had the privilege been given them to pass judgment upon it. But this high-handed procedure will, no doubt, be justified by Mr. Rhodes upon the ground that, from his point of view, it was a completion of the restoration of home rule in that state.

I cannot close this chapter without giving expression to the hope that a fair, just and impartial historian will some day write a history covering the Reconstruction period, in which an accurate account, based upon the actual facts of what took place at that time, will be given, instead of a

compilation of untrue, unreliable and grossly exaggerated statements taken from political campaign literature.

The following chapter is the answer to the foregoing, written by an "expert" selected by Mr. Rhodes for that purpose.

CHAPTER XIV

Some Comments on the Article by John R. Lynch on Some Historical Errors of James Ford Rhodes

An obvious general comment on the article is that if the Reconstruction period throughout the South and in Mississippi in particular was engineered and controlled by men of such high character as Mr. Lynch records, why should the acts accredited to them have been of such a low character? It is not enough to say that there were " mistakes "; the measures were too numerous and systematic for this. It is to be noticed that Mr. Lynch does not attempt to controvert statements of events in Mississippi, with one or two exceptions to be considered below. To attempt to review the conclusions to which Mr. Lynch takes exception would involve a review of too great a mass of evidence. The web of Reconstruction is such a tangled one, that even if one has carefully considered a large part of the great bulk of primary material on the subject, generalizations on the period must still be accepted cautiously. This much may be said: Mr. Rhodes's conclusions are in harmony with those of the other trained historical students who have de-

voted time to a careful study of this period. Mr. Lynch's racial bias, the fact that he was an active participant in the events, and finally that his judgments are based on his own experiences and not on a close study of a far wider field of material, make whatever he writes of value as source material, but at the same time mitigate against its value as an impartial opinion. This is especially evident from the fact that he makes no attempt either in the article or in his book to substantiate his statements by such reference to his authorities as modern historiography demands. His authority is, of course, himself and his recollections, and the recognition of the treachery of memory is a first fundamental in historical work.

Page 347. Taking up some of Mr. Lynch's statements: He speaks of thousands of white men who were identified with the Republican party in the South in Reconstruction time. A comparison of census and election statistics do not give support to this fact; and though such figures are far from exact, they give a basis for generalizing superior to that of any personal recollection, or, indeed, of anything short of a general agreement of contemporary statements to the contrary. No such agreement exists so far as I have been able to search. In Tennessee, North Carolina, Arkansas, and to less extent in Virginia and Texas, there were a considerable

number of white Republicans; but in the other Southern states in no election between 1868 and 1872 did the Republican vote equal the census figures for Negroes of voting age in 1870. The nearest approach to this was in South Carolina in 1870, when the Republican vote for governor was 85,000 and the Negroes of voting age 85,400. In Mississippi the nearest approach was in the vote for Grant in 1872, when there were 82,000 votes against the census figures of 90,000. The machinery for getting out the Negro vote, and it was Republican machinery, was such as to permit the assumption that an unusually large percentage of the Negroes voted at the elections.

Page 349. Mr. Lynch speaks of Dent as a Democrat carpetbagger, but he was scarcely that. Though supported by the Democrats he was nominated by a faction of Republicans; moreover, he was a Missourian by birth, had family connections in Mississippi, and had while living in California married the daughter of a prominent Mississippian. He was scarcely a typical carpetbagger. That there should have been a split in the Republican party of the state so early is not a very good argument for the character of the leaders or of the measures they endorsed.

Page 349. Of the high hopes of such men as Alcorn there can be no doubt; but scarcely less doubtful was the failure to realize their hopes.

Alcorn himself favored Negro disfranchisement in 1890.

Page 350. Judges Peyton and Tarbell, a carpetbagger, were Republicans, but Simrall is generally classed as a Democrat. He was chairman of the state legislative committee that reported in favor of rejecting the 14th Amendment. Riley classes him as a Democrat, as does Garner, though Mayes calls him a moderate Republican, of the same class as Dent. Tarbell seems to have been a good judge. Garner is luke-warm in his appreciation, but Lamar said that " his decisions attest his extraordinary ability and industry." All commend his uprightness. Tarbell in 1887 called himself a conservative carpetbagger, one who found himself in the minority. He said that the Republican party in Mississippi collapsed through its own weakness; having devised a constitution in which " there was much to praise and to be proud of, and little to condemn," the party gave birth to legislation of which " this criticism is, in a measure, reversed."[1] The judiciary was the best department of government under Reconstruction in Mississippi.

Page 354. Ignorant Negro office-holders. All that I find as to Evans, except Garner's statement of " it was alleged," is in an account of Reconstruction in De Soto County, written by I. C. Nichols in the publications of the Miss. Soc.,

[1] Mag. of Am. History XXVIII, 424.

XI, 307. He does not say that Evans could not read or write, but that his "bondsmen really administered his affairs and ran his office." At one time there was a charge of defalcation against him, but nothing specific, and Nichols concludes that nothing really was wrong. After this some changes were made in his bondsmen and "R. R. West was put in charge of the office and became sheriff in all but name." West was, perhaps, one of the "honest, efficient, and capable assistants." Evans had been a slave. In Washington County there was also a Negro sheriff, Winslow by name. Mr. Lynch does not mention him, but according to the testimony of H. B. Putnam, a carpetbagger, Winslow was "nominally" sheriff, but his bondsmen ran the office; the sheriff, though he could read and write, was "incompetent to take charge of his office," which was worth $10,000 or $15,000 a year legitimately, and, according to a white Democrat, about $100,000 by other means.[2] Scott of Issaquena, whom Mr. Lynch mentions, testified before the Boutwell committee, and so far as can be judged by that testimony he was a man of fair intelligence, though, according to the testimony of one of his own race, not endowed with rash courage.[3] The testimony of another carpetbagger, with reference to Holmes County, is interesting, though it does not show whether the sheriff-elect was white or black. He

[2] Boutwell Report, 1446, 1470. [3] Ibid, 608.

was probably not Sumner, as this man never served in the office. This carpetbagger said that the sheriff of the county having died and this man elected to fill the vacancy, the successor arranged to have the witness assist in making the bond. "Other gentlemen hesitated to go on the bond unless I would go there and be responsible for the running of the office." The man was prevented from taking office so nothing[4] came of the arrangement. On the whole, such first-class material as I have been able to find does not uphold Garner entirely in his estimate of this class of officials, especially as to his footnote statement about their dishonesty; neither does it give the impression that they were worthy, as a whole, of the important positions they occupied. If Evans, as described by Rhodes, following Garner, was not typical, neither was Bruce.

Page 360. The point Mr. Lynch makes about the defalcation of Hemingway is an interesting one, and one that is evidently carefully kept in the background by the local writers.

Page 361. Mr. Lynch gives figures for 1875 and 1907 on financial matters, and on the basis of these claims that the profligacy of Reconstruction finances is not proven. The manifest unfairness of taking figures for 1907 may be passed over; but the necessary basis of comparison must be wider than this. Nor do his conclusions agree

[4] Ibid, 580.

with any others that I have seen, nor, which is more important, with other statistics. Both those of the census or those given annually by Appletons' Annual Cyclopedia lead to other conclusions. Just as an illustration of what is said on the other side, take this statement, which seems to be that of the land tax. This was 1 mill in 1869, 5 mills in 1870, 4 mills in 1871, $8\frac{1}{2}$ mills in 1872, $12\frac{1}{2}$ mills in 1873, 14 mills in 1874, $9\frac{1}{4}$ mills in 1875, $6\frac{1}{2}$ mills in 1876, $6\frac{1}{5}$ mills in 1877, $3\frac{1}{2}$ mills in 1878. Another point that should be considered is that Mr. Lynch confines his figures to state finances; while it was for local finances that the Reconstruction government of Mississippi is most severely condemned.

Page 362. Mr. Lynch is correct in saying that the Mississippi senators at the time of the state election in 1875 were Alcorn and Bruce. Pease had been succeeded by Bruce on March 4 of that year. Pease opposed Ames, but he was no longer senator.

Page 362. Mr. Lynch, in upholding the Reconstruction policy of Stevens and Sumner and what he calls their desire to delay restoration, seems to have overlooked the fact that the wisest of all the Civil War statesmen desired to get the states back into the Union before Congress should meet in December, 1865. Mr. Lynch is right in thinking that the 14th Amendment was essentially a correct measure, but so also does Mr.

Rhodes. The 15th Amendment is quite a different proposition, however. Nor does it follow because legislation of some sort might have been necessary to enforce the 14th Amendment or to take its place when the South refused to adopt it, that the Reconstruction Acts were the legitimate offspring of that necessity. That the Negro soldiers helped to win the war is not proof that the war would have failed without them; or that the necessary price of their valor was suffrage for all the men of their race, the bulk of whom were not capable of understanding it; or that such suffrage was necessary to the preservation of the Union. Oratory, inside or outside of Congress, is not historical proof.

Pages 365, 367. Mr. Lynch's statement that the failure of Reconstruction was due to unwise judicial interpretation need not be considered. It is anachronistic and does not agree with the views now generally accepted by historical students. But what he says of the infidelity of Waite and Bradley can be refuted directly from the Supreme Court Reports. As to the appointment of these justices, there is no evidence that it was because of any specially strong nationalistic position on their part. Bradley, if chosen for any particular views, got the justiceship because of his attitude on legal tender; and the conditions under which Waite was appointed do not show up any bias on his part. In U. S. *v.* Reese the court

stood seven to two; and the dissentients were Clifford, a Democrat, and Hunt, appointed by Grant.

In U. S. *v.* Harris (the Ku Klux decision) Woods delivered the decision. Harlan alone dissented and only on the question of jurisdiction. The Bench at that time held two judges appointed by Lincoln, two by Grant, two by Hayes, one by Garfield, and two by Arthur. The Civil Rights Cases decision was delivered by Bradley. Harlan was the only dissenter. These were the three important Reconstruction decisions during the term of Waite and Bradley. All of them were delivered after Reconstruction had failed. On the other hand, Bradley delivered the opinion in *ex parte* Siebold, in which the federal election laws were upheld, and Field and Clifford were the only ones who disagreed with it.

The following is the author's reply to the expert's answer.

CHAPTER XV

Some Historical Errors of James Ford Rhodes

In its issue of October, 1917, " The Journal of Negro History " published in part an article by me, pointing out some of the historical errors made by Mr. Rhodes in his " History of the United States from the Compromise of 1850 *to the Final Restoration of Home Rule at the South in 1877.*"

Since it appears that Mr. Rhodes had no personal knowledge of the important historical events referred to, he sent a copy of the journal containing the article to a friend who was presumed to be better informed along those lines, to whom Mr. Rhodes refers as an expert, with the request that he make a careful examination of the article and write a reply to the same, or perhaps to make such comments as would furnish Mr. Rhodes with the information desired. I have been favored through a mutual friend with a copy of that reply, which is now before me.

In an effort to weaken the force of what I have written, this expert, in his opening generalization, made several observations which may be classed

under three different heads. First: If the white men referred to by me were of such a high character, why should the acts accredited to them have been of such a low character?

Second: That I am influenced in what I write about that period by racial bias and the fact that I was an active participant in the events referred to.

Third: That what I write is based upon my own experience and memory, much of which is likely to be inaccurate through the treachery of memory, the same not being fortified by references to other historical works.

In the first place, I frankly confess that what I have written and shall write in defense of the Reconstruction governments at the South has been and will be of very little value if it were conceded that the acts accredited to the men to whom I have referred were of a low character. That is the very point upon which the public has been misinformed, misled and deceived. I do not hesitate to assert that the Southern reconstructed governments were the best governments those states ever had before or have ever had since, statements and allegations made by Mr. Rhodes and some other historical writers to the contrary notwithstanding. It is not claimed that they were perfect, but they were a decided improvement on those they succeeded, and they were superior in every way to those which are

representative of what Mr. Rhodes is pleased to term the restoration of home rule. They were the first and only governments in that section that were based upon the consent of the governed. If Mr. Rhodes honestly believed that what he wrote in condemnation and denunciation of those governments was based upon authenticated facts, then the most charitable view that can be taken in his case is that he, like thousands of others, is simply an innocent victim of a gross deception.

Whether or not I am influenced by racial ties or partisan bias in what I have written and may hereafter write, I am willing to allow my readers to decide. I am sure they have not failed to see from what I have thus far written that the controlling purpose with me is to give actual facts, free from racial partiality or partisan bias. The idea that I have endeavored to keep in mind is, that what the readers and students of American history desire to know is the unbiased truth about the important events of the period in question, and not the judgment and opinions of the person or persons by whom they are recorded.

In the third place, the statement that the value of what I have written is impaired because what is said about the important events of the period in question is based, in the main, upon my own knowledge and experience, must impress the intelligent reader as strange and unusual.

With reference to the period under considera-

tion, the difference between what I have written and what has been written by Mr. Rhodes and some other historical writers is what the lawyers would call the difference between primary and secondary evidence. The primary is always considered the best evidence, the secondary to be used only when the primary cannot be obtained. And yet what I have written is not based wholly upon memory. Where it is I have referred to distinguished persons and important events and occurrences which are not likely to be confused through the treachery of memory. The statistical information I have given is not from memory, but from the files of the official records, accessible to the public. But it appears that Mr. Rhodes and some other historical writers used only such parts of the official records as answered the purpose they seem to have had in view. This is virtually admitted by Mr. Rhodes's expert, in stating that " the point Mr. Lynch makes about the defalcation of Hemingway is an interesting one, and one that is evidently carefully kept in the background by the local writers." Yes, they not only kept that point in the background, but all other points that were not in harmony with the purpose they seem to have had in mind, which is in effect one of misrepresentation.

The reader will not fail to see that Mr. Rhodes's expert passed over in silence a number of important points in my article. In some of those

alluded to by him he frankly admitted that I am right, as in the case of Treasurer Hemingway. In the case of Mr. Evans, the colored sheriff of De Soto County, he relies upon an *ex parte* statement written by a Mr. Nichols of that county, evidently a partisan, who makes an effort to paint Mr. Evans in as unfavorable a light as possible, and yet he fails to confirm the allegation that Mr. Evans could neither read nor write, but concludes his communication with the declaration " that nothing really was wrong." From what is written by Mr. Rhodes's expert I find that Garner is the one from whom Mr. Rhodes obtained most of his misinformation. In speaking of the colored sheriffs in a general way Mr. Rhodes's expert was frank enough to say: " On the whole, such first-hand material as I have been able to find does not uphold Garner entirely in his estimate of this class of officials, especially as to his footnote statement about their dishonesty." This bears out the statement made by me that if Mr. Rhodes had desired to be fair and impartial he would have taken all the colored sheriffs into consideration and would have drawn an average, which would have shown that in point of intelligence, capacity and honesty they compared favorably with the whites.

The assertion made by me that the Republican party in Mississippi included in its membership many of the best and most substantial white men

in that state is disputed, because the Republican vote in the state at the presidential election of 1872 happened to be only a few thousand less than the number of colored men in the state of voting age, as shown by the census of 1870. It is therefore assumed that very few, if any, white men voted the Republican ticket at that election. To ascertain the voting strength of a political party, census figures cannot be relied upon with any degree of certainty, but since Mr. Rhodes's expert seems to think otherwise I am perfectly willing to accept them in this instance for what they may be worth. The number of colored men of voting age in the state at that time, as shown by the census of 1870, was 88,850; whites 76,909; colored majority, 11,941, and yet the Republican majority in 1872 was 34,887. If the voting strength of the two parties were in proportion to the number of colored and white men in the state, as this expert would have the public believe, and the percentage of colored and white men who voted was about the same, which can be safely assumed, the Republican majority in that case could not have been more than 12,000, whereas it was nearly three times that number. Assuming that the Republican and Democratic vote combined comprised the whole number that voted at that election, the total number of votes polled was 129,463, which was 36,296 less than the number of voters in the state. Of the 36,296

that did not vote, I estimate that at least 16,000 of them were white men. Subtract the 16,000 from the 76,909 white voters and it will be seen that the number of white men that voted at that election was 60,909, and yet the Democratic vote was 47,288, which was 13,621 less than the number of white men that voted. My own estimate is that of the 82,175 Republican votes, 61,266 were cast by colored men and 20,909 by white men. Of the 47,288 Democratic votes, 40,000 were cast by white men and 7,288 by colored men.

From the above estimate it will be seen that more than one third of the white men who voted at that election voted the Republican ticket. This estimate is strengthened when the result of the election in the different counties is taken into consideration. The Republicans not only carried every county in which the colored voters had a majority, but also a number of counties in which the whites were in the majority. The majority by which the state was carried by Alcorn in 1869 was about the same as that by which it was carried by Grant in 1872. Alcorn not only carried a number of white counties, but ten of them elected Republicans to the legislature, two of them, Lawrence and Marion, elected each a colored member. The ten counties were Pike, Lawrence, Marion, Jackson, Jasper, Clark, Lee, Leak, Lafayette and Attala. Judge Green C. Chandler, afterwards a judge of the circuit court and later

U. S. district attorney, was elected from Clark, Hon. H. W. Warren, who succeeded Judge Franklin as Speaker of the House, was elected from Leak, Judge Jason Niles and Hon. E. Boyd, both able and brilliant lawyers, were elected from Attala. Judge Niles was afterwards appointed a judge of the circuit court and later served as a Republican member of Congress.

In the opinion of this expert, Judge Dent, the Democratic candidate for governor in 1869 was scarcely a typical carpetbagger, because he was born in Missouri and had family connections in Mississippi. Still, if he were not a typical carpetbagger, then we had none in the state, because the designation included all those that settled in the state after the war was over. Judge Dent was one of that number. But I may be able to give Mr. Rhodes what was believed to be the principal reason that influenced the Democrats to support Judge Dent. He was President Grant's brother-in-law, hence it was hoped and believed that in this case family ties would prove to be stronger than party ties and that the national administration would support Dent instead of Alcorn, the ex-Confederate. In this case they were mistaken. Grant had been elected as a Republican, and he could not be induced to throw the weight of his influence against his own party, even in a state election, merely to contribute to the realization of the personal ambition of his wife's brother.

It is true that a few men who called themselves Republicans also supported Judge Dent, but the result of the election was conclusive evidence that the so-called split in the party was not at all serious.

Speaking of the three Supreme Court judges, the expert admits that Peyton and Tarbell were Republicans, but Simrall, he claims, is generally classed as a Democrat. In support of this assertion attention is called to the fact, among others, that he was chairman of the state legislative committee that reported in favor of rejecting the 14th Amendment. But that was before the passage of the Reconstruction Acts and before the Republican party in the state was organized. Judge Simrall joined the Republican party in 1868 or 1869. What I asserted, and now repeat, is that he was a Republican when he was made a justice of the state supreme court in 1870. Even if he, like thousands of others, had rejoined the Democratic party, that would not disprove my assertion that he was a Republican while he was on the bench. But it appears that he was not one of those who rejoined the Democrats, but remained a Republican to the day of his death. In 1884, nine years after the *redemption*, he canvassed the state for Blaine and Logan, Republican candidates for president and vice-president. In 1890 the Democrats of Warren County, in selecting suitable persons to represent that important

county in the state constitutional convention, held in the fall of that year, were anxious to have the benefit of the knowledge, ability and experience of Judge Simrall. They took the liberty of placing his name on their ticket, to which it appears he made no objection, and in that way he was elected a delegate to the convention. But did this make him a Democrat? I am sure both Mr. Rhodes and his expert will allow Judge Simrall to answer that question for himself, and that they will accept his answer as conclusive on that point. For his answer they are respectfully referred to page 704 of the official journal of the constitutional convention of 1890. They will see that the members of the convention were politically classified, each member, of course, furnishing the information as to his own party affiliations. It will be seen that Judge Simrall is classified as a "National Republican." Ex-Governor Alcorn was also a member of that convention, having been elected from Coahoma County in the same way. His political classification is that of "Conservative." So it seems that neither Simrall nor Alcorn rejoined the Democratic party. Instead, therefore, of Republicans being obliged to utilize Democratic material in the selection of Judges, as erroneously stated by Mr. Rhodes, it appears that the Democrats were obliged to utilize Republican talent, experience and ability to assist them in framing a new con-

stitution. I am sure that the assertion can be safely made that Simrall and Alcorn were not among the "lovers of good government" who rejoiced "at the redemption of Mississippi," through the employment of means that Mr. Rhodes so much regretted.

"The judiciary," the expert declares, "was the best department of government under Reconstruction in Mississippi," and yet the judges were all appointed by the Governor, by and with the advice and consent of the Senate. It goes without saying that if the Governor's appointees were good, the appointing power was equally good. The expert virtually admits that there was no justification for the declaration that "all lovers of good government must rejoice at the redemption of Mississippi," when he used the following language: "Mr. Lynch confines his figures to state finances; while it was for local finances that the Reconstruction government of Mississippi is most severely condemned." In other words, there was nothing wrong with the state administration; it was the local county and municipal governments that were bad. And yet, a fair and impartial investigation will reveal the fact that there is no more foundation for this allegation than for those about the state government. It is admitted that during the early part of Reconstruction the local tax rate was high, the reasons for which are fully explained in "The

Facts of Reconstruction." Such an investigation would show that the charges of extravagance, recklessness and maladministration so generally made about the administration of county and municipal affairs were grossly exaggerated and nearly if not all of them wholly untrue. In fact the expert flatly contradicts himself on this point, because he admits that the evidence does not support the charge of dishonesty in the case of the colored sheriffs, and yet the sheriff is the principal officer in the administration of the county government.

With reference to the financial affairs of the state the expert makes no effort to disprove a single statement of mine. He simply makes the broad assertion that my conclusions do not agree with other statistics, and yet he fails to produce the statistics with which they do not agree. To illustrate his point he calls attention to the different *rates* of taxation covering a period of about ten years, which, if true, is of no importance in this connection, because the same has no bearing upon the material point now under consideration. The tax rate is always determined by the amount of money needed to meet the obligations of the state, predicated upon the assessed value of taxable property. Changes in the tax rate, therefore, are likely to be of frequent occurrence. The pertinent point at issue is the volume of money paid into the treasury and the disposition

made of it. In this connection a slight amplification of the figures already given will not be inappropriate. In 1875, the last year of Republican rule and the year the state was *redeemed*, the total receipts from all sources amounted to $1,801,129.12. Disbursements, same year, $1,430,192.83, or $370,936.29 less than received. In 1907 the receipts from all sources amounted to $3,391,127.15. Disbursements, same year, $3,730,343.29, or $339,216.14 more than was received; and $2,300,150.46 more than was paid out in 1875. In fact, the financial condition of the state during several years was such that the legislature was obliged to authorize the issuance of bonds upon which to borrow money to meet current demands, thus adding materially to the bonded debt of the state. Can anything more inexcusable and indefensible than this be imagined? That any one of the reconstructed governments could possibly have been guilty of such maladministration as this is inconceivable. And yet, this administration typifies what Mr. Rhodes is pleased to term the restoration of home rule at the South, for which all lovers of good government should rejoice.

The expert admits that I am right in what was said about Senators Alcorn and Bruce, but asserts that Senator Pease, Mr. Bruce's immediate predecessor, was opposed to Ames. This is another assertion that is not in harmony with the truth.

Ames was a United States senator when he was elected governor; when he resigned the senatorship to become governor there remained about fourteen months of his senatorial term. The duty, therefore, devolved upon the legislature elected in 1873, at the same time Senator Ames was elected governor; of electing a senator for the full term and also for the unexpired term. Bruce, an Ames man, was elected for the full term, and Pease, also an Ames man, was elected for the unexpired term. If Pease had been opposed to Ames he could not have been elected to the senate by that legislature, for it was unquestionably an Ames legislature. It is true Pease was defeated for renomination for state superintendent of education by the convention that nominated Ames, still he loyally supported the ticket, and after the election he was looked upon as one of the friends and supporters of Ames's administration, and as such, and for that reason, he was elected one of the administration senators. I was a member of Congress at that time and therefore had occasion frequently to confer with Senator Pease, as the senatorial representative of the state and national administrations. If Senator Pease was opposed to Ames, I am sure that both Mr. Rhodes and his expert will admit I would have known it; and yet I do not hesitate to say that Senator Pease never did by word, act or deed cause me to entertain the slightest

suspicion that he was not a loyal friend and supporter of the Ames administration.

In regard to the decisions of the Supreme Court, the expert simply makes the declaration that my statement that the failure of Reconstruction was due to unwise judicial interpretation, need not be considered. Of course not, at least by him. In the first place it is not true that I admitted that Reconstruction was a failure. On the contrary, those who will carefully read what I have written will not fail to see that my contention is that in its important and essential particulars that policy was a great and brilliant success; also that I instanced the ratification of the 14th and 15th Amendments, neither of which could have otherwise been ratified, as a vindication of the wisdom of that legislation, even if nothing else had resulted from it. It is admitted that some of the friends and supporters of the Congressional plan of Reconstruction have been disappointed because those governments did not and could not stand the test of time. To this extent and for this reason some persons claim that the policy was a failure. I am not of that number, for reasons which the readers of the article referred to will see. But the inability of those governments to stand the test of time I accounted for under three heads, one of which was several unfortunate decisions rendered by the Supreme Court, the result, in my opinion, of two

unfortunate appointments made by President Grant in the persons of Chief Justice Waite and Associate Justice Bradley. I do not assert that those two Judges, or any others for that matter, were appointed with reference to their attitude upon any public question, still I am satisfied that they were believed to be in accord with the other leaders and constitutional lawyers in the Republican party in their construction of the 14th Amendment. The constitutional warrant for the Civil Rights Bill is the clause which declares that "No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States." It was therefore held that any law or ordinance which provided for, recognized or sanctioned separate accommodations for the two races in the exercise and enjoyment of the rights and privileges that are supposed to be common to all classes of persons would be a violation of this provision of the 14th Amendment; and since Congress was authorized to enforce the Amendment, affirmative legislation for the enforcement of that provision was held to be thus warranted. This view was held by such able and brilliant constitutional lawyers as Edmunds and Conkling in the Senate, and Butler, George F. Hoar and E. Rockwood Hoar, Lyman Tremaine, Garfield and Wilson in the House. Senator Carpenter was the only Republican lawyer of any note that took a different view

of the matter. While he believed the whole bill was unconstitutional, the section prohibiting race discrimination in the selection of jurors in state courts he believed to be especially obnoxious to the constitution. He declared that if that section could stand the test of a judicial decision all the others could and should, and yet the Court, through a decision handed down by Mr. Justice Strong, affirmed the constitutionality of that section; but in a decision handed down by Mr. Justice Bradley the section providing for equal accommodations in hotels, inns and places of amusement was declared unconstitutional except in the District of Columbia and the territories. In several subsequent decisions, handed down in the main by Chief Justice Waite, some of the most vital and important sections of the enforcement acts, especially those having for their object the protection of individual citizens against domestic violence through federal machinery when necessary, were also declared to be unconstitutional and void.

I am of the opinion, shared by many others, that if men of the type of Edmunds and Conkling had been appointed Supreme Court Justices instead of Waite and Bradley, the rulings of the Court in the important cases referred to might have been different. The unfortunate thing about those decisions is the wide scope of authority thus conceded to the states. In other words, they

amount to a judicial recognition of the dangerous doctrine of States Rights — a doctrine which has been the source and the cause of most of our domestic troubles and misfortunes since those decisions were rendered. But for those unfortunate decisions our country would not be cursed and disgraced today by lynch law and other forms of lawlessness and racial proscription and discrimination. But for those unfortunate decisions, lynching could have been, and I am sure would have been, held to be an offense against the peace and dignity of the United States as well as the state. Consequently, the criminals could be, and in most cases would be, prosecuted in the federal courts and through federal machinery, as was done in the case of many of the leaders of that secret criminal organization called the Ku Klux Klan. But this took place before the decisions referred to were rendered. The Court has also decided that a state law providing for separate accommodations for white and colored people on railroad trains, at least for passengers whose journey begins and ends in the same state, is not an abridgement in violation of the Constitution, provided the accommodations for the two races are exactly equal, which means that the validity even of those laws will not be affirmed whenever it can be shown that the accommodations are not equal, which can be very easily done. *Equal* separate accommodations is both

a physical and a financial impossibility. It is simply impossible for a railroad company to provide the same accommodations for one colored passenger that it provides for one hundred whites. If, then, a colored passenger cannot occupy a seat or a sleeping berth in a car in which white persons may be passengers, this will not only be an abridgement, but, in some cases, an absolute denial, of such accommodations. The ultimate nullification of such unfair, unjust and unreasonable laws must necessarily follow.

In spite of the unfavorable rulings of the Court, as above noted, that tribunal as at present constituted has rendered several very important decisions which have given the friends of national supremacy and equal rights much hope and encouragement. The most important of these is the one declaring unconstitutional and void the ordinances providing for the segregation of the races in the purchase and occupation of property for residential purposes in several cities. The decision in this case was broad, comprehensive and far-reaching. This important, fair and equitable decision has given the colored American new hope and new inspiration. It has strengthened and intensified his loyalty and devotion to his country, his government, its flag and its institutions. It makes him feel that with all of its faults and shortcomings, our *form* of government is superior to, and better than, that of any other,

and that a few more decisions along the line of this one, which I hope and believe may be safely anticipated, every justifiable cause of complaint on the part of the colored American will have been removed, because the evils resulting from the unfavorable and unfortunate rulings above noted will have been remedied and cured. Our type of democracy will then be what it now purports to be, the pure and genuine article. This will then be in truth and in fact the land of the free and the home of the brave. It will then be a typical representative of that form of democracy under which there can be no slave, no vassal and no peon, but everyone will be an equal before the law in the exercise and enjoyment of life, liberty and property, and in the exercise and enjoyment of such public rights and privileges as are, or should be, common to all citizens alike, without distinction or discrimination based upon differences of race, color, nationality or religion. These were the aims, objects and purposes the framers of the 14th Amendment had in view when that Amendment was drawn, and from present indications it seems to be clear that the highest court in the land will not allow the same to be defeated. But the most significant point about the segregation decision grows out of the fact that the fair, reasonable, sound and equitable principles therein set forth and clearly enunciated received the approbation and endorsement of a unanimous

court consisting of nine judges, in which conflicting and antagonistic political views were presumed to be represented. This indicates that the day is not far off when the so-called race question will cease to be a political factor, and that all political parties will recognize merit and not race, fitness and not color, experience and not religion, ability and not nationality, as the tests by which persons must be judged, not only in the administration of the government but in the industrial field as well. For the accomplishment of these meritorious ends and the attainment of these desirable purposes, men of the type of James Ford Rhodes should give their aid, support and influence, instead of allowing these to be used in the interests of that small class of unpatriotic Americans who seek political distinction and official recognition at the expense of racial harmony and brotherly love.

CHAPTER XVI

The purpose of this chapter is to amplify and bring out in more detail some of the points touched upon in preceding chapters.

The Presidential Election of 1916

There were some phases of the presidential election of 1916 which should receive the careful consideration and serious reflection of the students of American history, especially those who are believers in a genuine Republican form of government. In considering these matters the mind should be entirely divested of partisan bias or racial prejudice; the aim and purpose should be to ascertain what effect these matters may have upon the stability and perpetuity of our Republican institutions.

The presidential election of 1916 was the first one since 1884 when the vote of the states composing what is left of the "solid South" proved to be a deciding factor. In all presidential elections since 1884 and until 1916 the vote of the states above referred to would not have changed the result one way or the other. But in 1916 the case was different.

It is hoped that the reader will not suspect that the author is actuated or influenced either by

partisan bias or racial partiality in making the statement based upon his personal knowledge of political conditions as they then existed, that President Wilson was legally and constitutionally, but not fairly and honestly, re-elected. In other words, he was duly elected according to the forms of law, the observance and enforcement of which are essential to the maintenance of law and order and to avoid and prevent revolution, anarchy and chaos. But it sometimes happens that, through the application and enforcement of these essential and necessary forms, the choice of a majority of those who are legally entitled to participate in the selection of public officials is defeated. Such was the case in 1916. According to the political situation at that time there were at least three states at the South, Mississippi, Louisiana and South Carolina, which would have been as reliably Republican as the states of Pennsylvania and Vermont, but for the suppression of the colored vote in those states, through an evasion or violation of the Federal Constitution. It will be seen, therefore, that, but for the suppression of the colored vote at the South, Hughes instead of Wilson would have been elected President in 1916. But this would have meant "Negro domination," because the choice of a majority of the white voters would have been defeated by the votes of colored men. We would not only have had "Negro domina-

tion" in the executive but also in the legislative department of the government, because by the same vote the party of which Judge Hughes was the representative would have had a majority in both branches of the legislative department. This would not only have been true of the Congress that was elected at that time but of several preceding Congresses, for there are not less than six members of the Senate and thirty of the House that would be of a different political classification but for the suppression of the colored vote at the South. It will thus be seen that if that vote had not been suppressed in 1916 we would have had "Negro domination" in both the executive and legislative departments of the national government, although no colored man may have been officially identified with either of those departments.

It does not necessarily follow that the political party to which a majority of the colored voters belong is, in every case, the beneficiary when the colored vote proves to be a deciding factor in a closely contested election. In the presidential election of 1884, for instance, Mr. Cleveland, the Democratic candidate for President of the United States, polled a very small percentage of the colored vote in the state of New York, but the fact was developed that the plurality by which he carried that important and pivotal state was considerably less than the number of colored men

who voted for him. If, therefore, the colored men, or a majority of them, who voted for Mr. Cleveland in New York at that time had voted against him he would have lost the state and consequently the presidency of the United States. But there seems to have been no public apprehension of "Negro domination" as a result of that election, although the colored vote proved to be a deciding factor.

In what is written in this chapter no reflection upon President Wilson is meant or intended. He was twice elected to the Presidency of the United States, and on each occasion his election was due to a combination of circumstances for the existence of which he was in no sense responsible. His first election, 1912, was due to a serious split in the Republican party. If in the election of presidential electors a majority instead of a plurality had been required to elect, Mr. Wilson would not have been elected. He was, therefore, a minority candidate, but the same was true in the first election of Mr. Lincoln, who proved to be one of the best presidents the country has ever had. The election of 1912, therefore, was not only valid and constitutional, but since the vote of the South was not a deciding factor, its fairness cannot very well be questioned.

In 1916 President Wilson was the beneficiary of the suppression of the colored vote at the South through the application and enforcement

of methods which popular sentiment of the country, North as well as South, had, through a misapprehension of the facts, excused, tolerated and acquiesced in. While, therefore, the *legality* of the election cannot and should not be questioned, the reader cannot fail to see that there are some grave and complicated questions involved, which, if not corrected, are calculated to weaken and impair, if not to undermine and destroy, the fundamental principle and doctrine upon which our system of government is based.

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